KASHMIR, 1947

Rival Versions of History

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This book is dedicated to the memory of my mother
LAKSHMI JHA,
my wife
USHA
and, although I never met him, to the late
Maharaja Hari Singh of Kashmir
who deserved better from History

Preface

This book seeks to examine the accession of Kashmir to India in 1947, on the basis of the wealth of material that has become available in recent years after crucial documents and correspondence of that period were made available to the public. Kashmir has been a bone of contention between Pakistan and India since 1947, and the cause of two out of the three wars that the two countries have fought since achieving independence. If their relations continue to deteriorate as they have been doing over the past three years, it could become the cause of a third.

When an issue generates so much bitterness and frustration, some of this feeling is bound to percolate to those attempting to study it. It is not, therefore, surprising that over the years, two completely different versions of Kashmir's accession to India have come into being, not only in peoples' perceptions—that is only to be expected—but in the academic literature on the subject. These versions have then been fed into the popular perception through the media. Thus by degrees the distinction between scholarship and polemic has been eroded, to the detriment of the former.

This book examines both versions in the light of contemporary accounts, documents, and correspondence, which are exhaustively discussed in the footnotes. No attempt has been made to exhaustively study all the voluminous literature that exists on the Kashmir dispute. The method followed here has been to try and build up a clear, week by week, day by day, and finally hour by hour account of events and actions in 1946 and 1947, as these emerge from the sources enumerated above. The information contained in the declassified documents and correspondence files has been used to sift the statements made by the principal actors in their autobiographies and accounts of events,

to determine what can and cannot be believed. On many occasions the correspondence has highlighted the significance of statements in the autobiographies that would otherwise have escaped my notice. The interpretations of other scholars have been tested against the account emerging from the above reconstruction.

I can no more claim to be unmoved by the events that are described in this book, than can the dozens of people who have written on the subject of Kashmir before me. Rather than make claims to objectivity, I consider it fairer to readers to spell out the framework of values within which I have studied this subject. Pakistanis believe, almost without exception, that Kashmir should in the natural course have been part of Pakistan, and that they were tricked, or coerced, out of it by a clever and deeply laid Congress plot. This belief is based on the fact that 77 per cent of the population of the original princely state was Muslim, and Pakistan was created on the basis of the theory that Hindus and Muslims were two different nations. If one has an implicit faith in this theory, the rest is its natural corollary.

This implicit belief has permeated a great deal of the literature on the subject, particularly the writings of non-Indians. The way it has biased academic investigation, by predetermining what the writer believes was natural or morally right, is reflected in the two basic premises with which the British scholar Alastair Lamb begins his most recent book on Kashmir[1]:

> First, did those parts of British India with viable Muslim majorities have the right to look forward to an independent future *free from Hindu domination?* [Emphasis added] . . . [and second] Had Jammu and Kashmir been an integral part of British India, there can be no doubt that it would automatically have been embraced within the Muslim side, Pakistan, by the operations of the process of Partition.

The moral imperative in these two observations could not be more explicit: A 'right' is invoked, its denial is portrayed as the denial of freedom, and its extension to areas not covered by the original covenant is deemed to be morally desirable, if not an outright duty. The strong overload of morality inhibits Lamb, as it has inhibited

[1] *The Birth of a Tragedy: Kashmir 1947*, Roxford Books, Hertingfordbury, 1994, pp. 1–2.

other scholars, from addressing a number of additional questions certainly deserving answers, such as: 'did all Muslims want this "freedom"?' 'Did "Muslims" constitute a homogeneous community with all the attributes of suppressed nationhood or were they a heterogeneous community with internal divisions?' 'Were there no other loyalties that conflicted with their loyalty to their co-religionists?' 'In particular, did no class differences exist that might create a schism? For that matter, did "Hindus" themselves constitute a single homogeneous community?' Did fully-fledged Hindu nationalism exist in 1947 or was it only incipient then? 'Did the term "Hindu" have any political, indeed any, significance at all?'

Assuming that Muslim interests, and the position of Muslims in Indian society did need safeguards, at least for psychological reasons, was Partition the only way of providing them? Considering that one-third of the Muslim population of the subcontinent was left behind in India, that their position deteriorated sharply after Partition and the communal holocaust that it engendered, and that their leaders migrated to Pakistan, can it even be claimed that Partition achieved its primary objective of freeing Muslims from Hindu dominance, or did it free some at the expense of the rest? Were no other political arrangements possible that would have safeguarded the position of all the Muslims of the subcontinent? Since British India had already introduced the elements of federal democracy with the passage of the Government of India Act of 1935, would a federal, or confederal, arrangement not have provided a better solution than Partition afforded?

Rather than attempt to answer these questions, I will leave it to readers to draw their own conclusions from the subsequent history of the Indian subcontinent. I will confine myself here to stating that I not believe in the two-nation theory. Were I to do so, I would have to believe that 120 million Muslims have no rightful place in my India. I would find myself, ideologically, in the same bed as the most rabid Hindu chauvinists. This does not mean that India and Pakistan should be reunited, much less forcibly does it imply that Pakistan has no reason to exist. While religion may not have proved to be the most permanent basis for nationhood, Pakistan has now existed for almost half a century and is in the process of building other *raisons d'être.*

Religion is certainly as important an ingredient in the personalities of nations as of individuals, but it defines neither. In the Indian subcontinent, if there is a fundamental social reality, it is (and has been for over two millennia) ethnicity. The natural social groupings in South Asia have been ethnic. These have a shared language, history, customs; a shared inheritance of food, dress, art, music, and culture, and whenever the 'paramount' power (for lack of a better word) has weakened, a shared nationality. South Asia had and continues to have hundreds of ethnic groups. Keeping them united in a few larger entities is the most challenging task that any nation state has faced. What the two-nation theory did at the time of Partition, was to drive a meat cleaver through ethnic identities. In 1947 the operation was performed in Punjab, Bengal, and with less fanfare in NWFP, without an anaesthetic. It was extremely bloody. The trauma inflicted on the subcontinent has persisted for half a century.

What made Partition worse, when seen from this perspective, was that where Muslims did not take naturally to the two-nation theory, they had to be 'sensitized'. The method of doing so was to turn on the religious minorities and provoke retaliation, or to call the wrath of Allah down on those Muslims who did not see eye to eye with the two-nation theorists, and insisted on hobnobbing with the kafirs. It began in Calcutta with Direct Action Day, 16 August 1946. It was then unleashed in Punjab, where, coincidentally, there was an outbreak of communal rioting between Hindus and Sikhs, on one side, and Muslims, on the other, followed by an intense campaign by the Muslim League. This led to the fall, on 2 March 1947, of the Unionist government of Khizr Hayat Khan in which Sikhs and Hindus, but particularly the former, had played a major part. However, the most brazen example of this dual assault on communal harmony occurred in North-West Frontier Province.

Even the definition of the 'two nations' was synthetic, for neither 'Hindu' nor 'Muslim' corresponds to actual religious divisions in India. Hindus have always been Shaivas, Vaishnavas, Shaktas, Tantriks, Brahmins, Baniyas, Kurmis, Koeris, Rajputs, Marathas, and so on. Those whom the British called 'Moslems' thought of themselves more naturally as Sunnis, Shias, Ismailias, Bohras, Memons, Khojas,

Ahmediyas, and so on. Sunni–Shia riots were far more common in British India than Hindu–Muslim ones, and in today's Pakistan Sir Mohammed Zafrullah Khan, who defended Pakistan's claim to Kashmir before the Security Council on the grounds of its Muslim majority would, as an Ahmedia, not have been recognized as a Muslim. Such synthetic identities seldom prove long-lived. In East Pakistan, ethnicity reasserted itself within a very few years, and led to the formation of Bangladesh. In Sind too it is threatening to reassert itself. The migrants from the former United Provinces and Bihar were denied the right of residence in West Punjab from the outset, and after half a century, have still not been absorbed into the ethnic culture of Sind. They have been left with no choice but to transplant their ethnicity from Uttar Pradesh, a thousand miles away. As was inevitable, this has now assumed a full-blown political form.

In India too, the Bharatiya Janata Party's attempts to rally a 'Hindu' vote to come to power, have met with a conspicuous lack of success. Between 1986 and 1992, it used the process of communal sensitization around real and imagined historical and other grievances, and focused Hindu resentment on an unoffending mound of brick and stone called the Babri Masjid. But after briefly managing to push up its vote to 21 per cent in 1991, it too is fighting a rearguard action against the ever-resurgent ethnicity of the Indian nation.

Not believing in the two-nation theory, I have not begun with the preconception that Kashmir's accession to India was 'unnatural'. This has made me ask questions, and see significance in events and statements that others might have left unnoticed. What has therefore emerged is a book that is different from its predecessors for not one but two reasons: the new materials that have been used, and the viewpoint from which they have been examined.

I owe a debt of gratitude to many people who have made the writing of this book possible.

Alan Campbell-Johnson, who was Lord Mountbatten's press secretary and Dr Karan Singh, son of Maharaja Hari Singh, for agreeing to be interviewed about their memories of those eventful days; Vikram Mahajan for allowing me to quiz him in his home on his father's observations and reminiscences, and for presenting me with a copy of

his father's autobiography; my father Shri Chandra Shekhar Jha, who dealt with Kashmir in the United Nations during the later Nehru years; my brother Shri N.N. Jha, and several other friends who allowed me to use them as sounding boards while I thought aloud on the subject; Maya Chadda, who made useful suggestions when I was starting my research; and above all to Maja Daruvala, first for telling me that her father, Field Marshal Sam Manekshaw, had been the Indian Army officer who had accompanied V.P. Menon to Srinagar on 25 October 1947, and then arranging an interview with him.

Delhi P.S.J
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1

Two Versions of History

The armed conflict between Kashmiri militants and Indian security forces in the Kashmir Valley, which began at the end of 1989, is in its fifth year. While the conflict, and the suffering it has imposed on the people of the state has attracted world attention, it has not often been appreciated that two conflicts have been in progress in Kashmir. The first is a fight for freedom; the second for the merger of the state with Pakistan. The first battle is being fought to free the whole of the original state of Jammu & Kashmir from both India and Pakistan. The second is also being fought by Kashmiris, but their goal is to wrest Jammu & Kashmir from India and merge it with Pakistan. Often therefore, the conflict becomes three-cornered, with the rival militant organizations fighting each other even while they fight the security forces.

Every insurrection, every revolt, creates its own justification. More often than not, it seeks this justification in history, which is re-examined endlessly and rewritten to fit the revolutionaries' needs. It is not, therefore, surprising that the history of Kashmir's accession to India in 1947, and its subsequent integration into the Indian Union is being challenged, and not one, but two parallel histories are being created by the rival groups of militants. While those in search of independence are reinterpreting the past to claim that Kashmir has been engaged in an unending struggle for it independence since the days of the Mughal emperors; those who wish to merge with Pakistan are challenging the legitimacy of the state's accession to India in 1947. Several authors, mostly from Pakistan, have engaged in the latter

endeavour, but the most determined among them is Alastair Lamb, who has written two books, published in 1991 and 1994.[1] The purpose of this book is to examine the latter revision of 'history' to assess how closely it conforms to the known facts.

Since the earliest days of Kashmir's accession there have existed an Indian and a Pakistani version of how it happened. The former is, broadly, as follows:

When the British announced their plan to partition British India on 3 June 1947, and informed the princely states that Britain would not be able to recognize any of them as independent dominions and expected them to make their arrangements with either dominion, the Congress members of the interim government informed the Maharaja more than once that he was perfectly free to accede to either dominion, but given that he was a Dogra Hindu, while 77 per cent of his subjects were Muslims, he would do well to ascertain the wishes of his people before taking a decision.

As 15 August 1947, Independence day, approached, Hari Singh sought to enter into a standstill agreement with both India and Pakistan. India did not refuse to do so, but stalled his request on the grounds that there were various problems to be overcome first, but Pakistan immediately signed the agreement. However, in the following weeks, Pakistan began to exert various types of pressure, including withholding supplies of kerosene, gasoline, food, edible oils, and salt from the state.[2]

When this soured relations with Maharaja Hari Singh and led to acrimonious exchanges between him and Prime Minister Liaquat Ali Khan, including veiled threats by the Maharaja that he would 'ask for assistance' elsewhere if his state's needs were not met, Pakistan organized an invasion of Kashmir to take matters out of the Maharaja's hands. Initially the invaders were Pathan tribesmen directed and led

[1] These are: (1) *Kashmir: A Disputed Legacy*, 1846–1990, Roxford Books, Hertingfordbury, UK, 1991, republished Oxford University Press, Karachi, 1992; (2) *Birth of a Tragedy: Kashmir, 1947*, Roxford Books, 1994. The references to *Kashmir: A Disputed Legacy*, are from the OUP, Karachi edition.

[2] Reported by Mountbatten in his letters to the King, 7 Nov. 1947. Quoted by Stanley Wolpert in *Jinnah of Pakistan* (OUP, New York, 1984; rptd OUP, Delhi, 1984) and by Lamb, op. cit., p. 126.

by Pakistani officers, who entered Kashmir on the night of 21/22 October 1947. From early 1948, however, the regular Pakistani army also entered the fray.

The Maharaja appealed to India for assistance in repelling the invaders, but the Indian government's response was that it could not send troops to Kashmir without the Maharaja's prior accession. The Maharaja signed the Instrument of Accession on 26 October. However, in view of the composition of the population of the state, the Indian government wanted Sheikh Abdullah, leader of the Jammu & Kashmir National Conference inducted into the government and the accession itself ratified by ascertaining the wishes of the people after the raiders had been driven from Kashmir and peace restored. When the Maharaja agreed to these terms, Indian soldiers were airlifted to Srinagar in the early hours of 27 October.[3]

Pakistan's version of events was first given on 30 October 1947. Since this version gained widespread acceptance, and came into vogue once again after the insurrection began in Kashmir, it needs to be related in some detail. Predictably, it disputed the Indian version in entirety:

> The Government of Pakistan cannot accept the version of the circumstances in which Kashmir acceded to the Indian Union. . . . There is conclusive evidence . . . that Kashmir troops were used first to attack Moslems in Jammu and even attack Moslem villages in Pakistan near the border. . . . Early in October, women and children from Poonch sought refuge in Pakistan and there are at present about 1,00,000 Moslem refugees in West Punjab from Jammu. . . . Mortars and automatic weapons have been used to drive Moslems out of their villages. Recently over 17,000 Muslim corpses were counted near a village in west Punjab and raiders from Jammu into that province left behind them military vehicles and dead bodies of soldiers in uniform. . . . The attack on Poonch and massacres in Jammu further added to and inflamed all the more Pathan

[3] The entire sequence of events was first related to C.R. Attlee, Prime Minister of Britain, by Pandit Nehru in a telegram sent via the UK High Commission in India, on 28 October 1947 at 5.30 a.m. A more detailed version was given in the Government of India's White Paper on the Accession of Kashmir to India, which was released on 22 March 1948. The version of events given in the above documents remained unaltered throughout the long and tortured debates in the Security Council from 1947 to 1965, and thereafter.

feelings and made the raid on Kashmir inevitable, unless the government of Pakistan by the use of troops were prepared to create a situation in the North-West Frontier province which might have incalculable results on the peace of the border. . . .

The sending of Indian troops to Kashmir further intensified and inflamed the feeling of the tribes . . . in the opinion of the Government of Pakistan the accession of Kashmir is based on fraud and violence and as such cannot be accepted.[4]

In short the Hindu Maharaja's 'Dogra' troops embarked on what would now be described as 'ethnic cleansing' and provoked a spontaneous uprising against his tyranny. This and the subsequent accession, inflamed the Pathan tribesmen and brought them to the defence of their co-religionists.

This immediate reaction was only half of Pakistan's case against Kashmir's accession to India. Within days the Pakistan government also began claiming that the accession was the product of a 'long matured plot in India aided and abetted by Lord Mountbatten, to tie Kashmir to India and prevent the States accession to Pakistan'. Proof of the British involvement was the Punjab boundary commission's award of three *tehsils* in Gurdaspur district of Punjab to India, despite the fact that Gurdaspur as a whole had a small Muslim majority and the interim boundary between the two parts of Punjab had provisionally placed Gurdaspur as a whole in what was to become Pakistan. The separation of the three *tehsils* gave Kashmir a land link with the Indian union, and made accession to India possible.

In the years immediately following the Accession, the international community recognized that the Accession gave India the legal right to be in Kashmir, and required Pakistan to vacate it. This position was reflected in the UN Security Council's resolution of 13 April 1948, and three resolutions of the UN Commission on India and Pakistan which were designed to implement it and make it operational. These were the resolutions of 13 August 1948, 5 January 1949, and 28 April 1949. The first required Pakistan to withdraw all its forces and get the tribesmen to vacate Kashmir before India thinned out is forces in Kashmir, and appointed a plebiscite administrator to organize a

[4] Reuters Despatch, Lahore, 30 Oct. 1947.

plebiscite. Following objections by Pakistan, the second sought the appointment of a plebiscite administrator by the UN Secretary-General. The third noted that Pakistan had accepted the 5 January resolution and undertaken to withdraw all its troops from Kashmir and get as many as possible of the raiders out within seven weeks.[5] This pledge was never fulfilled and the plebiscite therefore never held.

The outbreak of insurgency in Kashmir valley, and some adjoining areas of Jammu, in 1989 and 1990 has however seen a renewed attempt to discredit the Indian version of events. While some scholars have raised questions about Kashmir's accession to India in a reappraisal of Lord Mountbatten's role during the momentous years that saw, in India, 'the first decisive breach in the fabric of European and American empires', others, like Lamb, have done so with the more ambitious goal of legitimizing the present by reinterpreting the past—more specifically of condoning Pakistan's training and arming of some (but not all) insurgents in Kashmir on the grounds that India itself secured Kashmir's accession by fraud and by the force of arms. In his two recent books, Lamb has sought not only to vindicate the Pakistani contention in entirety, but has asserted that the accession was a sham to which not just a gullible Mountbatten but the entire British government was, for geo–strategic reasons, a party. He has also made the startling claim that Indian troops entered Kashmir well before the Instrument of Accession was signed.[6] In the second book, Lamb goes a step further and very strongly hints that the Instrument of Accession was perhaps never signed.[7]

Lamb's thesis is not just a reinterpretation of history, but has profound contemporary relevance. The Indian government has consistently maintained that the armed insurrection in the valley was not spontaneous, but carefully planned and nurtured from 1986, and sustained after 1990, by Pakistan. Pakistan has poured more than 30,000 modern weapons into the valley and trained and armed more than 20,000 militant youth. While not entirely denying its assistance

[5] UN Security Council Official Records.

[6] For a summary of his hypothesis, *see* Lamb, *A Disputed Legacy*, pp. 148–56, OUP, Karachi edn, 1992.

[7] Lamb, *Birth of a Tragedy*, pp. 93–6.

to the militants, Pakistan has equally staunchly maintained that the uprising of late 1989 was spontaneous, and that once it had began, no administration in Pakistan could have avoided providing support. Most important of all, Pakistan has maintained not only that the insurrection is not new, but that in one form or the other it has been going on since 1947, first as a revolt against a genocidal Dogra ruler and then against a genocidal Hindu India. Since Pakistan's armed support to the insurgents has now been extensively documented by American agencies, whether it would qualify to be considered a terrorist state or not depends crucially on the validity of its claim that the insurrection in Kashmir was not of its making, but had existed well before it became involved.

This is what gives such crucial importance to the closest possible re-examination of Pakistan's original contentions and Lamb's elaboration of them, based, as he claims, on correspondence and records that were released for publication in the late seventies and eighties. If Pakistan's contention does not stand up to closer analysis it will make it necessary for scholars and governments to treat with greater seriousness India's accusation that the insurrection has been assiduously fomented by Pakistan.

In *A Disputed Legacy* (1991) Lamb claimed that the British government conspired with the Indian union-to-be to prevent Kashmir's accession to Pakistan because it needed a 'vantage point' from which to watch Central Asia. Since in 1947 China was still under a weak and exhausted Kuomintang, this vantage point was needed principally to counter Soviet intrigue in Central Asia. The best place from which to do this was not just Gilgit, but Hunza, the northernmost part of the old princely state of Kashmir:[8]

> If the State of Jammu & Kashmir joined Pakistan, whose stability and durability appeared to many British observers in 1947 to be extremely doubtful, then the Northern Frontier might become an open door into

[8] Ibid., p. 107. For reasons that he chooses not to dwell on, Lamb downplays the British hand in *The Birth of a Tragedy* (1994) his second book, without repudiating his earlier thesis. In the latter, he puts most of the blame for gerrymandering Kashmir's accession to India on Mountbatten, who he claims completely lost his objectivity because of his regard for Nehru, especially after he became Governor-General of independent India.

the subcontinent for all sorts of undesirable influences which it had been British policy for generations to exclude. Far better, it could well have been argued, that the guardianship of the entire northern frontier be entrusted to the bigger, stronger and apparently more reliable of the two successors to the British Raj, India.[9]

That there was some such strategic understanding between the Indian Union and Britain came to light, Lamb claimed, when the 'Indian Foreign department' wrote a letter to Prime Minister Attlee on 25 October 1947, which Lamb believed was inspired by the Home Minister, Sardar Vallabhbhai Patel. This justified India's decision to provide assistance to Kashmir, because 'Kashmir's northern frontiers, as you are aware, run in common with three countries, Afghanistan, the USSR and China'.[10]

Reconstructing events in the light of this understanding, Lamb concludes that the first unambiguous proof of the British grand design was the position taken by Mountbatten that, with the lapse of paramountcy, Gilgit, including Hunza, would be retroceded to Kashmir. Listowel, the Secretary of State for India concurred. The British, fully realizing Gilgit's importance, had for this reason obliged the Maharaja of Kashmir to lease the Gilgit agency to the British for 60 years. This lease, Lamb points out, need not have lapsed with the end of paramountcy, but could have been handed over, in keeping with the principles of Partition, to Pakistan, since Gilgit had no contiguity with India. The fact that it was returned first to the Maharaja suggests therefore that Mountbatten had all along intended that Gilgit, along with Kashmir, should go to India. The British government in London was apparently of the same mind.

The second proof of conspiracy, according to Lamb, was the boundary commission's award of three *tehsils* in Gurdaspur district to India, despite the district as a whole, and Pathankot Tehsil in particular, which had a slight Muslim majority. This made Jammu & Kashmir contiguous to India and fulfilled the principal requirement giving Kashmir the right of acceding to India. Had this not been done, Kashmir would have been cut off from India and, like the North-West

[9] Lamb, *Birth of a Tragedy*, p. 74.
[10] Ibid., p. 148.

Frontier Province which had a Congress government elected by large majority in 1946, would have had no option but to accede to Pakistan. Lamb concedes that the terms of the boundary commission asked it to 'demarcate the boundaries of the two parts of Punjab on the basis of ascertaining the contiguous majority areas of the Muslims and the non-Muslims. In doing so it [was] also take into account other factors'. However, he goes to great lengths to show, firstly that the award was known to Mountbatten and his staff at least a week before 15 August, and secondly, that Mountbatten brought the weight of the viceroyalty to bear on Sir Cyril Radcliffe to change it to give these three crucial *tehsils* to India.[11]

Lamb is fully aware of the enormity of his accusation. He however defends it by referring to papers relating to the transfer of power to India and Pakistan, released by the British government only in 1977, and published between 1979–83. In these he specifically refers to a report from the British resident in Kashmir, to the effect that Maharaja Hari Singh wanted to remain independent. Webb, the Resident, continues, 'The Maharajah's attitude is, I suspect, that once paramountcy disappears Kashmir will have to stand on its own feet, and that the question of loyalty to the British government will not arise and that Kashmir will be free to ally herself with any power—not excluding Russia—he chooses'. Lamb clearly believes that this was a sufficiently alarming prospect for the British to cast propriety to the winds.[12]

To show that the British were fully capable of such underhand deals, Lamb reminds his readers how Sir Olaf Caroe managed to get an entire new volume of Aitchison's *Collection of Engagements, Treaties and Sanads* replaced surreptitiously in various Libraries, with a new version that included the exchange of notes between the British and the Tibetans at the Tripartite Simla Convention of 1914, when the original volume had omitted them.[13]

Lamb gives three additional pieces of evidence to show that, independently of the British strategic design, which India shared, the Congress had designs on Kashmir from the very outset and that Mountbatten leaned further and further towards bringing them to

[11] Ibid., pp. 104–5. [12] Ibid., p. 106. [13] Ibid., pp. 73–4.

fruition. The first is a letter, described by Lamb as 'confused and emotional', written by Krishna Menon to Mountbatten, which the latter received just as he was setting out for Kashmir in June 1947. Menon warned him of dire consequences if Kashmir was allowed to go to Pakistan. He said that the British had resigned themselves to losing India, but intended to build up Pakistan as the eastern frontier of British influence. Menon feared that Mountbatten's purpose in going to Kashmir was to persuade Maharaja Hari Singh to accede to Pakistan in order to make it as strong as possible.[14]

The second is a letter from Nehru to Mountbatten urging him to make the Maharaja see reason and release Sheikh Abdullah, whom Pandit Nehru believed to be indisputably the most popular leader in Kashmir, from jail. In his letter Nehru pointed out that although the state was 77 per cent Muslim, its people would approve of accession to India because of their devotion to Sheikh Abdullah. Nehru therefore urged Mountbatten to press the Maharaja to dismiss his prime minister Pandit Ramchandra Kak, and release Sheikh Abdullah. Nehru warned that pushing Kashmir into Pakistan's arms when its most popular leader was against the move would create a great deal of unrest in the state.

The letter makes it plain that whatever might have been the formal position of the Indian dominion, Nehru at any rate was extremely keen that Kashmir should accede to India and not Pakistan (as will be shown below, his one precondition to such accession being that it should be carried out by Sheikh Abdullah and not the Maharaja acting on his own). But the conclusion Lamb draws from the letter is not the obvious one: according to him this 'fascinating' document 'cannot have failed to impress Mountbatten'.[15] He regards this letter as one more piece of evidence that by June 1947, independently of the British Grand Design, Mountbatten had begun to lean towards Kashmir's accession to India. That would explain his subsequent actions, and his tendency, by the time the Kashmir war erupted, to regard Pakistan as the enemy.[16]

Lamb's final piece of evidence is a note Mountbatten made of

[14] Ibid., p. 108. [15] Ibid., p. 109. [16] Ibid., p. 139.

a communication with Ram Chandra Kak, the Dewan, or Prime Minister, of Kashmir. Mountbatten reports a discussion with the Maharaja in which he asserts that[17]

> . . . it is not for him to suggest which constituent assembly Kashmir should join . . . if they joined the Pakistan Constituent assembly, *presumably* Mr Jinnah would protect them [the royal family] against pressure from the Congress. If they joined the Hindustan Assembly, it would be *inevitable* that they would be treated with consideration by Hindustan. [Emphasis added.]

Lamb believes that this conversation with the Maharaja might never have taken place, and may have been fabricated by Mountbatten.[18] More important, he contrasts the 'presumably' used by Mountbatten about Jinnah with the 'inevitable' he used when describing the likely reception the Maharaja would get in India, concluding that what Mountbatten was really conveying was that Kashmir would be well advised to join India as India would keep Hari Singh on his throne, while Jinnah would ensure that the Maharaja's Muslim subjects would bring about his overthrow.

[17] Ibid., p. 110.

[18] Ibid., p. 109. Lamb writes, '[in the form of reporting a discussion which may never have taken place] the Maharaja went out of his way to avoid the slightest policy discussion with the Viceroy'.

2

Uprising or Invasion?

A close examination of contemporary accounts, including those of Mountbatten himself, of both the published and unpublished documents pertaining to the transfer of power from Britain to India and Pakistan, and the records of the last eventful months of the British Raj in Punjab, NWFP, and Kashmir, now in the India Office Records Library in London, show that both the original Pakistani version of the events of 1947 and Lamb's distinctive interpretation of them, are totally unfounded, and that it is the original (for want of a better description 'Indian'), version that is closer to the truth. All the available evidence points to the following conclusions:

i) that Maharaja Hari Singh's 'Dogra' rule of Kashmir was not tyrannical, any more than British rule in India could be described as such, and was most certainly not communal;

ii) that at least till the end of September 1947, when communal disturbances in the subcontinent were causing considerable disquiet to both the people and the administration of Kashmir, there was next to no animosity between Hindus and Muslims, and no communal violence inside the state, barring a few sporadic incidents in the Jammu region;

iii) that there was no spontaneous revolt in Jammu & Kashmir against the Maharaja, at least till the end of September, and that what happened in the Poonch region of the State at the end of August and in early September, was assiduously instigated by Pakistan.

iv) That while there were undoubtedly atrocities committed by bands of Sikhs and by some of the state troops against Muslims in the

border belt of Jammu province in the first weeks of October, these were caused by an overspill into the state of the communal carnage occurring all along its borders in East and West Punjab, and over-reaction and loss of control by the state forces in the face of atrocities committed by Muslims on Hindus both within Jammu & Kashmir state and in the adjoining areas of West Punjab, where only slightly less than half the population was Hindu and Sikh. While this was certainly no justification, Pakistan's charge that state troops were 'cleansing' the state of its 77 per cent Muslim population in order to enable the Maharaja to accede to India is wholly unsustainable. Had this been his intention he would have first 'cleansed' his 8,000 strong state force of its almost 3,000 Muslims, and not waited for them to kill their officers before deserting to the enemy on 23–5 October.

iv) That the raids into Kashmir by the Pathan tribesmen were not spontaneous retaliations aimed at saving their Muslim brethren from Dogra genocide, but were carefully planned and instigated at least from the end of August or early September, i.e. a whole month before any of the alleged atrocities by the Kashmir state troops against Muslims in the border region took place, at a time when Kashmir was completely peaceful. There is in fact some evidence that the raids had been planned months earlier, although it is not clear exactly when they received the official blessings of the Muslim League and the Pakistan government-to-be.

v) There is unambiguous evidence in the declassified documents and correspondence that, far from having decided that India was the best choice as the future custodian of Kashmir, and therefore of British strategic interests in Central Asia, it was Pakistan that had throughout been cast in this role. The pro-Pakistan slant of debate in the UN, which sowed the seeds of Indo–Soviet friendship, can be traced unequivocally to the chagrin of the British at the frustration of their grand design for Kashmir by India's acceptance, even provisionally, of Kashmir's accession.

vi) Lastly, there is equally unambiguous proof that the Gurdaspur award was neither orchestrated by the British government from London, nor by Lord Mountbatten in Delhi.

All this becomes apparent from a detailed month by month study of how the Kashmir crisis developed. The most reliable evidence of internal conditions in Jammu & Kashmir is furnished by the fortnightly reports of W.F. Webb, the British political agent in Kashmir and, after his departure on the lapse of paramountcy, by Gen. Scott, the commander of the state forces.[1] The former's fortnightly reports to the Crown representative for the states, i.e. the Viceroy, show beyond any doubt that although relations between Hindus and Muslims began to grow uneasy and in some cases strained, as communal violence flared in the plains around the state, Kashmir remained free from communal disturbances. The unease was, moreover, confined to Jammu and some of the frontier areas adjoining the Pathan tribal agencies, and did not affect the valley where half the population lived.

Kashmir as a whole remained virtually untouched by the 'Direct Action' programme launched by Jinnah in British India, which led to large-scale communal riots in Bengal and other parts of the country. The only incidents that did occur, took place in Jammu town. On 21 September 1946, a Hindu youth was stabbed to death. The following day, three Muslims were similarly killed. On the 23rd, one Hindu was killed (this may have occurred in Srinagar). The administration reacted strongly to this: it recovered 1,100 knives from a Hindu merchant in Jammu and 400 from someone in Srinagar.[2] Webb's report for this period refers to the stabbings and adds that the state government's response was 'prompt and firm'.

After that, calm prevailed once more. Fortnight after fortnight, throughout the months from December 1946 to the end of June 1947, Webb reported either that there was nothing to report or that the communal situation was uneasy but that there had been no violence. Even the arrival in Muzaffarabad of 2,500 Hindu and Sikh refugees from

[1] The fortnightly reports are to be found in the India Office Records Library, Files L/P&S/13/1266, internal conditions in Kashmir. A key report by Gen. Scott, referred to later is to be found in L/P&S/13/1845b.

[2] Telegram sent by the Crown representative to the Secretary of State for India on 25.9.1946. Kashmir Internal Conditions, op. cit.

the tribal agency area of Hazara in December 1946 did not cause any tension there. Webb reported that the attitude of the local people towards them was friendly (most of these refugees fell victim to the tribesmen from whom they had sought to flee only ten months later in October 1947). Similarly, in Jammu, although Hindu refugees poured in and communal relations became uneasy, there was no breach of the peace.[3]

The peace was however growing more and more fragile during this period. The reason was that the Muslim Conference in Kashmir had decided in June 1946, to start playing the communal card. In his end-of-year report for 1946, Webb wrote that in June its representatives had gone to Karachi to meet Jinnah who had told them to capitalize on the failure of Sheikh Abdullah's National Conference to unseat the maharaja. In its meeting in Srinagar in July, the Muslim conference, somewhat surprisingly in view of its earlier and later stands, raised the cry that Ram Chandra Kak, the Prime Minister, was oppressing Muslims. During the remainder of 1946, the Muslim Conference began to model itself closely on the Muslim League. It imported Muslim League leaders from Punjab to help reorganize the party. National Guards, paralleling the Muslim League National Guards, were recruited and training centres created for them. All this followed the appointment of Agha Shaukat Ali as the general secretary of the Muslim conference and of Chaudhuri Ghulam Abbas as its president. Shaukat Ali was known to be in close touch with the Muslim League and particularly with the editor of *Dawn*, the party newspaper in Karachi. Webb commented, 'It is significant that these new leaders included in their programme the working up of anti-Hindu sentiments under the guise of uniting all Muslims in the party.'[4]

[3] Webb's reports of 15–31 Jan. 1947, 15–30 April 1947, IOR L/P&S/13/1266.

[4] Ibid. Webb's report for 15 to 31 Dec. 1946. A detailed account of the Muslim Conference's growing integration with the Muslim League is given by Ian Copland in *The Political Inheritance of Pakistan* (St. Martin's Press, New York, 1991), ed. D.A. Low, in a chapter entitled 'The Abdullah Factor: Kashmiri Muslims and the Crisis of 1947', pp. 218–54, esp. pp. 235–7. 'During the first half of 1947', Copland concludes, 'the NC [National Conference] made a strong recovery in the valley as its socialist message began to filter down to the masses. . . . By contrast, support for the MC [Muslim Conference] was reckoned by one inside source to be virtually "null and void" by October 1947.'

Webb reported further that Agha Shaukat Ali and others threatened 'direct action in Kashmir' in September, but 'in spite of this failed to unite the warring factions in the Muslim Conference'. This was telling evidence of the superficiality of the communal 'Muslim' sentiment on the basis of which Kashmir was predestined, in the eyes of many, to go to Pakistan.[5]

Throughout the first half of 1947, the Maharaja made strenuous efforts to prevent the violence in Punjab from spilling over into Kashmir. On 13 March, Reuters reported from Srinagar that

> more troops have been sent to the Kashmir–Punjab border to ensure that troublemakers do not enter the territory from Punjab. Kashmir has been virtually cut off from the rest of India for the past week. Motor drivers are refusing to use the Srinagar–Rawalpindi road because of reports of raiders burning lorries and destroying bridges and culverts.

There were other direct incitements to communal violence from outside the state. Local newspapers had reported, Webb said in his dispatch for 30 March 1947, that the Pir of Manki Sharif in the NWFP had sent his agents to Kashmir to prepare the people for a 'holy crusade' by the frontier tribes after the British left India. 'Agents provocateurs of the Pir of Manki Sharif have entered the frontier districts of the state. The people are, it is alleged, being asked to sacrifice their lives for the cause of Islam in the holy crusade the tribes will launch soon after the British quit in June 1948.' The Pir of Manki Sharif was no ordinary religious zealot. Along with Abdur-Rab-Nishtar, he was one of the two most important leaders of the Muslim League in the North-West Frontier Province. Indeed, his was a chequered history that went much further back, for he had been in the pay of the British during the inter-war period, used to keep the frontier tribes docile and anti Russian, and later became one of the founders of the Muslim League in NWFP. He financed and instigated a large part of the year long direct action programme in NWFP, whose aim, among other things, was to kill and drive out Hindus and Sikhs, and when Pandit Nehru insisted on visiting the NWFP in October 1946,

[5] If Sheikh Abdullah was a 'quisling', as Liaquat Ali was to describe him a little morel than a year later, one wonders what to make of the Muslim Conference leaders and rank and file who did not respond to the call for direct action and were unable to submerge their internal squabbles in the service of Islam.

the Pir preceded him on his tour of the tribal areas, rousing the tribes by telling them that Pandit Nehru intended to destroy their freedom and make them slaves of the Hindus.[6] Having tasted a generous dose of success in the NWFP, the Pir was now ready to turn his attention to Kashmir.

As has been pointed out above, the little communal tension that the state had experienced in 1946 and 1947 before Independence, had been in Jammu or the frontier regions of the state. The valley had remained completely free from tension. The reason, one suspects, was its distinctive culture, which had developed within the sheltering walls of the Himalaya and the Pir Panjal ranges, and in particular, its distinctive brand of Islam. Islam came to Kashmir as late as the fourteenth century from Persia, and was spread by Sufis. The message of the Sufis was taken to the people by local saints known as Rishis. In the course of its dissemination, it took on many customs and practices of Hinduism and modified them to suit its purpose. Kashmiri Muslims worship the relics and shrines of their Saints and Pirs, a practice that is anathema to the orthodox Sunnis of the plains. What is more, many of their Pirs are worshipped by Hindus and Muslims alike. Sheikh Noor-ud-din, a noted Sufi Pir, whose shrine, the Charar-e-Sharif, is one of the most important places of worship in the valley, is known among Hindus as Nand Rishi. One of the original apostles of Islam in the Rishi tradition, Lal Ded, was born a Hindu lady named Laleshwari Devi.[7]

These practices had not gone unnoticed among the future leaders of Pakistan. When, upon a series of increasingly urgent pleas by the leaders of the Muslim Conference, Jinnah sent a close aide, probably his private secretary Khurshid Ahmad, to the State, to assess Kashmir's potential as a field for League activity, Ahmad advised against it and reported:

[6] The Pir's activities are described by Wali Khan, the son of Badshah Khan and head of the National Awami Party in Pakistan, in his book *Facts are Facts: The Untold Story of India's Partition.* (Vikas Publications, New Delhi, 1987), pp. 71, 111–12, 119. For an account of his organization of pogroms against the Hindus and Sikhs, Wali Khan relies on Erland Jansson's book, *India, Pakistan or Pakhtoonistan.*

[7] Yasin Malik, *Our Real Crime*, published by the Jammu & Kashmir Liberation Front, 1944, pp. 103–15.

The Muslims of Kashmir do not appear to have ever had the advantage of a true Muslim religious leadership. No important religious leader has ever made Kashmir . . . his home or even an ordinary centre of Islamic activities. Islam in Kashmir has therefore throughout remaind [*sic*] at the mercy of counterfeit spiritual leaders . . . who appear to have legalized for them every thing that drives a coach and four through Islam and the way of life it has laid down. . . . It will require considerable effort, spread over a long period of time, to reform them and convert them into true Muslims.[8]

By contrast, the Islam of the parts of Kashmir that lay outside the valley, and the plains of Jammu, was very different. In Jammu and Poonch the people were traditional Sunnis, and racially akin to the Punjabi Muslim. In Ladakh and Baltistan there were Shias and Buddhists. In Gilgit they were Shias, and in Hunza, Ismailis. This bewildering multiplicity, and not the indecisiveness for which he has been roundly condemned, was the principal reason why Maharaja Hari Singh did not want to accede to either dominion, and would have vastly preferred to remain independent with close relations with one if not both the dominions. The population of Kashmir was 77 per cent Muslim, but belonging to at least three frequently antagonistic sects, two-thirds sharing a strongly syncretic tradition of Islam that had a good deal in common with the Bhakti tradition in Hinduism. Acceding to either dominion would have meant putting some part of the population or some elements of the Kashmiri identity in jeopardy.

Hari Singh's government was able to shield Kashmir from the turbulence that was racking the rest of north India till the end of August 1947. But within two weeks after that a spate of developments took place that completely upset the delicate equilibrium that he had sought to maintain.

At the end of August, a group of about 30 Pakistani nationals crossed into Poonch and began to incite the Satti and Sudhan tribes of Poonch not only against the Maharaja but in favour of accession to Pakistan.[9] About 10,000 local people agreed to go on a demonstration.

[8] Copland, op. cit., p. 233. Taken from a secret report to Jinnah, dated 20 Aug. 1943, IORL R/1/1/3913.

[9] This was the beginning of the so-called revolt in Poonch. Much of the case built by the Pakistan government and by writers like Alastair Lamb to discredit the

to Poonch town to demand accession to Pakistan, but Gen. Scott, the commander of the state forces, was at pains to point out that their principal purpose was to 'air local grievances, mainly the high price of foodstuffs'. The distress of the people was not surprising. As Webb had reported from Srinagar at the time, the winter of 1946–7 had been unusually severe, and had caused food shortages and pushed up prices. Add to that the disruption of supplies that spring and summer because of the communal violence in Punjab, and it was hardly surprising that the people of Poonch, as elsewhere in Kashmir, were in considerable distress.[10]

On 9 September, at a small town called Bagh with a population of 3,000, mostly Hindus and Sikhs, the state forces denied them passage to Poonch. The demonstrators then surrounded the town. A small detachment of signallers sent out by the state forces was set upon by

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Maharaja's right to accede to India in October, and to reinforce Pakistan's moral right to Kashmir is built around this revolt. In his second book, *Birth of a Tragedy* (1994), Lamb has gone so far as to formulate a thesis of colonial annexation by Kashmir, and permanent revolt by Poonch, stretching back to the 1830s (pp. 55–8). The fact that the gradual subordination of the Poonch *jagir* to the state of J&K and the take-over by the Maharaja of powers formally exercised by the *jagirdar* was no different from the mode of territorial consolidation in all other parts of India, or that the powers being 'usurped' were essentially those of another Dogra ruler, and therefore had nothing to do with the basis on which Pakistan was created, seems to have escaped his notice.

Tracing the origins and extent of the so-called revolt is therefore of considerable importance. The account given here is taken from Gen. Scott's report to the UK Commonwealth Relations Office, as transmitted from Karachi by the UK High Commission in Pakistan on 8 October 1947. Scott, a distinguished officer who had been decorated for bravery, and had led the Kashmir state forces during the war in Burma, was on his way home after having refused an extension of a year to his contract which expired on 29 September. The reasons he gives in his last report to his own government for not accepting the extension show beyond any doubt that he would have liked Kashmir to accede to Pakistan, and decided not to stay on only when it became clear to him, towards the beginning of September, that the Maharaja had decided to accede to India. Scott's report can therefore be deemed to be as free from bias as an account of what was happening in Kashmir during that crucial month (IOR L/P&S/13/1845b).

[10] Lamb concedes (*Birth of a Tragedy*, p. 61) that local grievances, and especially resentment over the high local taxes played a large part in the disaffection of these returning ex-servicemen. These taxes were supposed to have been imposed after the

the Sattis, and two of their number killed. The state troops then attacked the demonstrators and easily dispersed them. In all, the troops killed 20 Muslims and the demonstrators killed 12 Hindus and Sikhs before order was restored. However, Scott also pointed out that there was no violent anti-Hindu or anti-Sikh feeling in the mob. Although they burnt a number of homes, most of those whom they killed had refused to surrender their arms.

There was no further trouble in Poonch during the remainder of Scott's tenure. Scott, in fact, pointed out in his report to London that Kashmir had remained free of communal trouble notwithstanding the fact that the state troops had escorted 1,00,000 Muslims through Jammu territory on their way to Pakistan and an equal number of Sikhs and Hindus going the other way, and the state's 60,000 refugees, mainly from West Punjab.

Scott's report is important because it shows firstly that there was no

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war, and may well have been, but it is surprising that there is no reference to them, or to any consequent unrest, in Webb's reports for 1946 and 1947. Nor is it likely that these taxes were imposed on the residents of Poonch alone. Lamb's contention, possibly based on an article by Richard Symonds, a Quaker engaged in relief work in Punjab, in *The Statesman,* Calcutta and New Delhi (4 Feb. 1948), that these taxes were levied only on Muslims, and not on Hindus and Sikhs, i.e. that Hari Singh had imposed a reverse *jaziya* tax on Muslims, finds no confirmation in Webb's reports or in Scott's report from Karachi. Nor are any such discriminatory taxes mentioned by Sheikh Abdullah who was leading a populist campaign principally targeted in favour of the oppressed peasantry, against the Maharaja in 1946 before he was arrested. Considering the explosive potential of such a tax, and the historical memories that it would have aroused, it is doubtful if their imposition could have remained unnoticed for long, even in the rest of British India. Dr Karan Singh, son of Maharaja Hari Singh, who was Kashmir's head of state from 1948 to 1951, stoutly denies any such taxes ever having been on the statute books. He however, pointed out to me in an interview in October 1944, that in Kashmir, as elsewhere in Princely India at the time, the primary source of income was land revenue. When the resources of the government became straitened, these taxes rose. In Kashmir, and especially in Poonch, Muzaffarabad, Gilgit, Hunza, and for that matter the North-West Frontier region, virtually all the land was owned by Muslims. Hindus and Sikhs were traders and artisans, and most of them lived in the towns. Land taxes, and the *zaildari* tax, which was a kind of surcharge levied to meet the cost of collection of the land tax, inevitably therefore fell on Muslims. This could be what led Symonds to conclude that taxes were being imposed only on Muslims.

spontaneous uprising and arguably, not much of an uprising of any kind in the state till as late as the end of September, i.e. just three weeks before the invasion by the raiders. His report completely contradicts an article published by one Richard Symonds in the *Statesman*, and accepted uncritically by most writers, that by 29 August, the Kashmir Durbar had already launched a 'Scorched Earth policy [notice the emotionally loaded terminology] against Muslims villages [apparently designed to insulate the border against possible Pakistani incursions]', and that this was what caused the small-holders and ex-servicemen of Poonch to rise in revolt against the Maharaja.[11] Scott's report also completely refutes Symonds' contention that as a result of the success of this revolt 'in six weeks the whole district except for Poonch city was in rebel hands'. By mid-October there was widespread, organized conflict in Poonch, and the state forces had been pushed back to Poonch and its vicinity, but the reason, which Symonds had no reason to know at that time, was the massive, covert operation that had been launched to arm local Muslims, and send in tribesmen and other Punjabi Muslims from across the Jhelum, led and strengthened by former Muslim officers and other ranks of Subhas Bose's Indian National Army.[12]

Scott's report also showed that far from being bloodthirsty Dogras bent upon eliminating the Muslim population of Kashmir or driving it across the border, the state forces had done an exemplary job in looking after not only the local population but the quarter of a million refugees that they had to deal with. Yet a bare two weeks later, on 15 October, the UK High Commission in Pakistan forwarded a communication to the Commonwealth Relations Office in London from the Pakistan government to the effect that:

> According to soldiers of the Pakistan army returning from leave armed bands which include troops are attacking Muslim villages [in Poonch] and fires of many burning villages can be seen from the Murree hills. The Pakistan government takes the gravest view of these attacks on the homes of their soldiers and have asked the government of Kashmir to take

[11] Copland, op. cit., pp. 243–4. The policy to clear the border belt was taken up only some time after the mass demonstration and uprising of Sattis on 9 September. See below.

[12] See below.

immediate and effective steps to restore order. The government of Pakistan have also asked the Kashmir government to inform them of the action taken to restore order in Poonch.[13]

Pakistan's allegation against the Maharaja's forces was not easily believable even at the time when very little was known of the Muslim League's plans. Allowing for the time it takes for news to filter through and form a sufficiently disturbing pattern to warrant a complaint, could such a dramatic turnaround have taken place in as little as ten to twelve days? If Poonch was free of internal trouble in the last week of September, what could have led the state troops to go berserk in less than a fortnight? Had there been a small number of Muslims to drive out of the state, this might conceivably have been part of a policy. But the Muslims constituted three-quarters of the state population and two-thirds that of Poonch, and 3,000 of the 8,000 to 9,000 state troops were themselves Muslims. Even if their loyalty in carrying out a pogrom of Muslims could be relied upon, which, as subsequent events showed, was unlikely, they were stretched dangerously thin all along a 400 mile border. They would there fore have been foolhardy to undertake this task against warlike tribes with an estimated 60,000 demobbed soldiers in Poonch alone, especially when Hazara tribesmen and armed Pakistani nationals were already among them.

Even the report that Pakistani soldiers on leave had seen their homes burning should have been suspect. Would such soldiers have left their kin to report back to duty and then told their superior officers that their families were in danger, or would they have stayed back to defend their homes and families? Something was not quite right about these accusations. That something was only to be fully revealed many years later.

All available evidence suggests that the violence in Poonch was initially unleashed first from the other side of the border. This first took the form of hit and run raids into Kashmir. On 31 August, Gen. Scott, the commander of the Kashmir forces, reported that there had been

[13] India Office Records Library, doc. L/P&S/13/1845b. A note made by the CRO on the margin, showed that the Karachi despatch was not immediately believed. It did, however, leave the possibility open of things having changed suddenly, immediately after Gen. Scott left.

hostile incursions from Pakistan into Poonch. In a report dated 4 September he gave details, saying that 500 hostile tribesmen in green and khaki uniforms had entered Poonch from Pakistan. They had been joined by 200 to 300 Sattis from Kahuta and Murree. The purpose, according to his report, was not invasion but loot. Scott protested to the British O/C Pakistan's 7th infantry division against the complete absence of any efforts by the Pakistan army to prevent these incursions. Scott also requested that the Government of Pakistan be asked by urgent telegram to force the return of these raiders to the west bank of the Jhelum river.[14]

By the middle of October, the raids from across the border had spread across the entire length of the border with Pakistan. In his autobiography, written in 1968, Karan Singh, the son of Maharaja Hari Singh, remembers that around the early part or the middle of October, 'intelligence reports from the areas of Poonch and Mirpur, as well as the Sialkot sector started coming in which spoke of large-scale massacres, loot, and rape of our villagers by aggressive hordes from across the border. . . . My father occasionally handed some of these reports to me and asked me to explain them in Dogri to my mother, and I still recall my embarrassment in dealing with the word "rape" for which I could find no acceptable equivalent.'[15] The memories of a

[14] The Government of India's White Paper on the Kashmir was released on 22 March 1948. The comment of the Commonwealth Relations Office on this part of the White Paper is interesting. It says, 'Naturally nothing [in it] gives any indication of a revolt in Poonch'. It then refers to Gen. Scott's last report, sent from Karachi, and says that it is more balanced than the White Paper. The CRO is obviously referring to the demonstration by 10,000 Sattis and Sudhans on 9 September, and the confrontation with the state troops at Bagh on 9 September. But it chooses not to refer to the parts of the same report in which Scott says that the demonstrations were mainly to air local grievances, especially to protest against high prices and shortages of essential supplies; that till the end of September when he left, this was the only demonstration by the people of Poonch, and his assessment that Kashmir did not face a threat from inside, i.e. of revolt, so much as of invasion by the tribesmen of Hazara and the Black mountain. Clearly, the CRO, having taken a particular stand on the Kashmir dispute, was loath to entertain evidence that went against it. The CRO reaction to the White Paper, as well as the comments on it of the UK High Commission in India, are to be found in IOR L/P&S/13/1845c.

[15] Karan Singh, *Autobiography, 1931–67*, Oxford University Press, Delhi, 1989, p. 54.

16 year old schoolboy may not be considered conclusive even though he cannot forget his father palming off on him the lack of explaining rape to his mother, but Mehr Chand Mahajan, who toured the border districts after taking over as Prime Minister of Kashmir between 19 and 23 October, has similar tales to tell:

Soon after I took over charge, reports were received of raids from the Pakistan side on the state territory from Kathua right up to Bhimber, a length of about 200 miles. These raids were organized by local Muslims who invited the Pakistan Muslims to raid the houses of Hindus and Sikhs and abduct their women and kill men, women and children. The local Muslims had sent their women and children to places of safety in Pakistan. This had been done not only by the Muslim population residing on the borders of Pakistan, but by a large number of Muslim officers of the State including those in the police and military services . . . over two hundred villages on the border were burnt and most of the population exterminated. In retaliation the Hindus and Sikhs started burning Muslim villages, killing Muslims and looting their property. The abduction of women also started. . . .

In between harrowing descriptions of what he and the Maharaja (who insisted on accompanying him) saw, Mahajan has this to say:

Most of the members of the State forces of which over 35 per cent were Muslim had deserted or assumed a partisan attitude. The Hindu and Sikh Dogra forces, scattered over 84,000 sq. miles of territory, were too few both to control the situation in Jammu and stop Pak raids over a length of over 200 miles of border . . . we noticed burning of Muslim and Hindu houses on both sides of the road. People were standing out on the road with all kinds of crude weapons with which to commit murder and arson. Small bands of state forces were patrolling the road and trying to do what they could to restore law and order, . . . but without much success . . . a considerable number of Muslim residents of the State were living their villages, bag and baggage, driving their cattle, intending to go to Pakistan. They were accompanied by State officers who were trying to give them as much protection as possible. Some of these people got killed during the move. What had happened in east Punjab and west Punjab was now happening in the province of Jammu.[16]

What actually happened in Poonch was explained by Ram Lal

[16] Mahajan, *Looking Back (1963)*, Har Anand Publications, rpt, 1994, pp. 143–6.

Batra, the Deputy Prime Minister of Kashmir, to A.C.B. Symon, the UK Deputy High Commissioner in Delhi, on 25 October. Batra told him that after the 9 September disturbances, the state government decided to disarm all those people in the border area who it felt could not be trusted. This operation went off smoothly, but by 24 September the government found that many of those whom it had disarmed had managed to rearm themselves with 'every kind of modern weapon' that they had managed to secure from Pakistan. A west Punjab police inspector, Batra claimed, had been found dead 10 miles inside Poonch territory. These armed Muslims were linking up with Muslims from the Murree hills, who had infiltrated into state territory. Of still greater significance in view of what followed, Batra confirmed that tribesmen had entered Poonch from Hazara.[17]

When taxed about the atrocities allegedly committed by the state forces against Muslims in Jammu, Batra conceded that in view of the raids from across the border and the depredations of the tribesmen and other Pakistani nationals, the state government had given orders that a three-mile wide belt along the border should be cleared of habitation, as a *cordon sanitaire* to prevent the raids. The state troops had on occasion acted with undue harshness. Given the surcharged atmosphere, most of the Muslims had preferred to take their families and possessions across the border to the relative safety of Pakistan.[18]

There was, however, a substantial change in the situation between the end of August and the first half of October. While it is likely

[17] Lamb's description of events is, however, subtly different from the above. According to him, the Maharaja's troops, in pursuit of a royal order, asked Muslims of Poonch *jagir*, to surrender their firearms. These were then distributed to the Hindus and Sikhs, who used them against the Muslims. It was this that brought Muslims from Pakistan across the border. This description strains credibility on one score: we are asked to believe that the minority, and a small one at that, surrounded by a very large Muslim population, attacked their Muslim neighbours first. This would be tantamount to suicide. The more likely explanation for the redistribution of the firearms (for which, incidentally, Lamb gives no citation), is that when the non-Muslims found themselves being attacked, they demanded firearms in order to defend themselves, and were given the confiscated ones. Some of these may well have been used thereafter in revenge killings by Hindus and Sikhs.

[18] ToP secret letter from A.C.B. Symon, Deputy High Commissioner in Delhi, to the CRO, London, 27 Oct. 1947, giving a Diary of events concerning Kashmir, from 25–7 Oct., IORL L/P&S/13/1845b.

that the Sattis from across the border, and possibly also the Hazara tribesmen who raided Poonch in August and early September, were primarily after loot and possibly women, by the end of September the incursions had become planned and instigated. In the course of the month, Pakistan launched a covert plan to secure the annexation of Kashmir by force. The first accounts of this plan were published in an interview given to *Dawn* of Karachi by a former Major, Khurshid Anwar, who had become a leader of the Muslim League National Guard, in which he claimed he had organized the Pathan tribal attack on Kashmir. In the interview, Anwar said, among other things, that he had set the 'D' day as 21 October, but because of some last minute problems, the attack had to be put back by a day to the 22nd. He said that he had entered Kashmir with 4,000 tribesmen, and that they had swept up the Domel–Uri road, until they met Sikh troops of Patiala state at Uri on the 26th.[19] Anwar took credit for having rescued Sydney Smith, corespondent of the *Daily Express*, and a British colonel with whom he was travelling, when they were captured at Mahoora, and sent them safely to Abbotabad.

Further details of the plan were revealed in a letter sent by this very colonel from captivity on 2 November to a Captain H. Stringer in the U.K.[20] He wrote:

> I have not explained how this tribal show in Kashmir was organized. Side by side with the civil administration in Pakistan you have the Muslim League organization. The latter works much the same way as Hitler's Gestapo, brown shirts, SS men, or whatever they went in for. Jinnah is

[19] Excerpts given in the GOI's White Paper. It is surprising that in his book, *Kashmir: A Disputed Legacy*, Lamb insists that no more than 2,000 to 3,000 tribesmen were involved in the raid, when Anwar himself says 4,000. The actual number, as is shown below, was very much larger. It is also curious that Lamb does not refer to Anwar's explicit statement that the tribesmen were checked at Uri by Sikh soldiers from the Patiala forces, when he has based so much of his case for the fraudulence of Kashmir's accession to India on the fact that Patiala troops were in Kashmir before the Instrument was signed.

[20] Quoted in the White Paper, p. 35. The paper does not explain how the letter got into Indian hands. The UK High Commission in Delhi therefore showed some scepticism about its authenticity, with the comment that it 'purports to be an intercepted letter from a presumably British Colonel'. However, it did not go quite so far as to suggest that the letter was a fake.

also the head of the Muslim League. . . . Quite junior government offici
may be quite high in the Muslim League. This show is run by the Musl
League High Comand, working through its trusted officials down th
scale.

It is impossible for ordinary officials to obtain rations or petrol agains
cards or coupons. All the time lorry loads of food and 1,000 gallons o
petrol are passing up the road to the tribesmen . . . Just before the sho
we got a new DC [Deputy Commisioner—the administrative head of
district] in Abbotabad. The old DC was not a Muslim League Member

Stating that some 10,000 tribesmen were 'operating beyond here',
the Colonel refers to Sydney Smith in terms that make it clear that this
was the same person to whom Khurshid Anwar was to refer to later as
being the companion (of Smith) whom he had sent to Abbotabad. For
he writes, 'Smith counted 45 busloads of them, fifty to a bus, on their
way to Kashmir'. The writer also stated that *according to Smith*
(emphasis added), their leader was one Khurshid Anwar, and that his
second-in-command was a Major Aslam Khan of the Pakistan army,
whose accurate handling of 2 inch mortars broke the (Patiala) Sikhs'
first stand at Baramula. Aslam Khan told Smith, who duly reported
it in the London *Daily Express* of 10 November, 'You can describe me
as a deserter from the Pakistan Army'. If this is an accurate report of
Khan's remark, then he was clearly implying that he was not a deserter,
but had been seconded for the job he was doing in Kashmir. This
surmise was strengthened, as the UK High Commission in Delhi
noted while commenting on the White paper, by the fact that a
Pakistan army officer of the same name turned up in Gilgit first as an
emissary and recruiting officer of the Azad Kashmir government and
then as commandant of the Gilgit Scouts.[21]

As will be shown later, the British allergy to believing anything that
suggested that Pakistan was guilty of a deep-seated conspiracy to seize
Kashmir, made them turn their noses up at much of the factual
information contained in the White Paper.[22]

[21] UK High Commission in Delhi's comment on the White Paper, 6 March 1948, IOR L/P&S/13/1845c.

[22] Referring to the White Paper, the UK High Commission in Delhi commented in its despatch to London, 'These telegrams and letters do not materially add to our knowledge except to show that there was quite a bulk of protest and counter-protest

The full extent to which Pakistan masterminded the entire operation to annex Kashmir by force was only revealed more than twenty years later by one of its principal architects, then Colonel and later Major-General, Akbar Khan. Khan's explanation of why Pakistan simply could not tolerate the possibility of Kashmir acceding to India[23] is especially revealing:

> One glance at the map was enough to show Pakistan's military security would be seriously jeopardized if Indian troops came to be stationed along Kashmir's western border. Once India got the chance, she could establish such stations anywhere within a few miles of the 180 miles long vital road and rail route between Lahore and Pindi. In the event of war, these stations would be a dangerous threat to our most important civil and military line of communication. If we were to do so it would dangerously weaken our front at Lahore. If we were to concentrate our strength at the front, we would give India the chance to cut off Lahore, Sialkot, Gujrat, and even Jhelum from our military base at Pindi. The possession of Kashmir would also enable India, if she so wished, to take the war directly to Hazara and Murree—more than 200 miles behind the front. This, of course, could happen only in the event of war—but in peace time too the situation could be just as unacceptable because we would remain permanently exposed to a threat of such magnitude that our independence would never be a reality. Surely that was not the type of Pakistan that we had wanted. . . . Thus it seemed that Kashmir's accession to Pakistan was not simply a matter of desirability but of absolute necessity for our separate existence.[24]

Akbar Khan has described the origins of Pakistan's clandestine operation in Kashmir at great length and with obvious pride. His

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between Kashmir and Pakistan in October . . . *but these documents also bear out the Kashmir never actually came to the point of arranging with Pakistan the proposed joint enquiry into the troubles.*' On the crucial issue of Pakistan's complicity in the raids, the letter says that the White Paper 'adds little to the conclusions already embodied in our memoranda, but it does however bring out the *unofficial complicity* of authorities in the NWFP and of certain Pakistani Army officials on leave'. (Emphasis added.) Thus the Pakistan government continued to be exonerated from blame. IOR L/P&S/13/1845c.

[23] Akbar Khan (former Major-General) D.S.O., *Raiders in Kashmir,* Pak Publishers Limited, Karachi, 1970.

[24] Ibid., pp. 9–10.

account bears out in full what Smith and the unidentified colonel learned in captivity, namely that the Pakistan leadership was operating simultaneously at two levels, with the Muslim League as a parallel, covert centre of decision-making. What is clear from his account is that there were at least two concurrent plans for the annexation of the state. The first was formulated by him, and the second at the Muslim League headquarters in Karachi or Lahore. Khan's plan was born out of a meeting with Sardar Ibrahim, a Muslim Conference member of the Kashmir assembly who, according to Lamb, had escaped from Kashmir, but who, according to Khan, had 'come across the border in search of help for his people'.[25] To prevent the Maharaja from handing over the state to India, Ibrahim wanted just five hundred rifles. Akbar Khan felt, however, that 'this was too modest an estimate, though even this number, at the moment seemed beyond reach'.

'The big question really was', Khan writes, 'whether our government could be moved to take an active hand in the affair. *We were soon to find that a move in this direction had already started* (emphasis added). A few days later, he met Mian Iftikharuddin, founder and owner of the *Pakistan Times* and very high up in the Muslim League hierarchy. Iftikharuddin told him that he was going to Srinagar to assess the chances of the State acceding to Pakistan, but was not optimistic. He also told Khan that if 'the Kashmiri Muslims were not likely to have the chance of freely exercising their choice—the Muslim League may have to take some action to . . . prevent the states's accession to India'. Iftikharuddin asked Khan to prepare a contingency Plan, which the latter did.

The key element of this plan was absolute secrecy. At any cost, the British officers in the Pakistan army and the Commander-in-Chief had to be kept in the dark.[26] As Khan was at that time Director of Weapons and Equipment at Army Headquarters, he was able to locate 4,000 rifles intended for the Punjab police and a large stock of old ammunition that was scheduled to be transported to Karachi to be thrown into the sea, and persuade the concerned Muslim officers to divert them for his operation in Kashmir. Khan proposed that the rifles and ammunition be used by bands of irregulars to overcome the widely

[25] Ibid., p. 11. [26] Ibid., pp. 13–14.

scattered state forces piecemeal, and to block the unmetalled Jammu–Kathua–Banihal pass road to prevent Indian irregulars and even armed reinforcements from reaching the Valley. A few days after he had given the plan to Mian Iftikharuddin, he was summoned to Lahore (this must have been the middle of September—Khan does not give dates) for a conference with Liaquat Ali Khan, the prime minister of Pakistan. The conference was held in the office of Sardar Shaukat Hayat Khan, then a minister in the Punjab government. It was here that he learned that there was another plan, fabricated entirely by the Muslim League. 'It seemed that the problem had already received a good deal of consideration and another Plan had been evolved in outline.'[27] At the conference Akbar Khan soon realized that although several of those present had copies of his plan, most of them had not bothered to read it. This was because Shaukat Hayat 'already had a plan in mind':

> His plan was based on the employment of officers *and other ranks* of the former INA under the command of Mr Zaman Kiani. These were to operate from across the Punjab border—whereas north of Rawalpindi, the sector was to be under the command of Mr Khurshid Anwar a commander of the Muslim League National Guards. The operations were to take place in two sectors, under the overall command of Sardar Shaukat Hayat Khan. [Emphasis added.]

Akbar Khan's role was reduced simply to procuring the 4,000 rifles and ammunition. His operational precepts, notably sending irregulars to cut the Jammu–Kathua road, and skirmishers who would seize Srinagar airport, were given scant attention. Khan was left with the critically important role of procuring the weaponry, but otherwise had little to do with the actual planning and conduct of operations.

Khan remained convinced that Kashmir was lost because Khurshid Anwar was a loose cannon, and incited the Pathan tribesmen to invade Kashmir, probably on his own initiative. In his estimate, till the end of the third week of October, everything had been going Pakistan's way in Kashmir. By his reckoning, more and more Muslims were rising in revolt against the Maharaja, who was gradually but progressively losing control of his state. This was particularly so in Poonch,

[27] Ibid., p. 16.

where by now the rifles commandeered by him for the operation were in the hands of the local Muslims. 'But then suddenly at this stage, the whole situation was radically altered by the entry of the frontier tribesmen into Kashmir on 23rd October. This event was of such significance that it led to the accession of the State to India within four days.'[28]

Khan's estimate that Anwar was a loose cannon was based on two conversations that he had immediately after the first planning meeting in Lahore with Liaquat Ali Khan:

> Upon coming out of the conference room, Khurshid Anwar took me aside and told me that he was not going to accept any orders from Shaukat Hayat Khan. . . . I was just wondering what to do about this when Shaukat Hayat Khan also came and told me that he had absolutely no confidence in Khurshid Anwar. In view of this mutual lack of confidence I suggested that he should immediately see the Prime minister and get someone else in place of Khurshid Anwar. But he said Khurshid Anwar was the choice of the authorities concerned and nothing could be done at this stage.[29]

An interesting feature of Khan's account is that right till 1970 when he wrote his book, he did not seem to know who Khurshid Anwar was, or precisely why he was given the pivotal northern sector to command in the operation to seize Kashmir, over the objections of Shaukat Hayat. Khurshid Anwar was one of the Muslim League's most important secret weapons in the creation of Pakistan. A former major of the Indian Army, he had resigned to devote himself full time to the work of the League. Raising the National Guard was only a small part of his job. He had proved his real usefulness to the Muslim League the previous year when he had toured the length and breadth of the North-West Frontier Province and the tribal agencies, rousing communal passions against Hindus and Sikhs and convincing the Pathans that if the Congress regime in the NWFP was not overthrown, it would deliver them into slavery to the Hindus.[30] Anwar therefore knew the

[28] Ibid., p. 22. [29] Ibid., p. 18.

[30] Wali Khan, *Facts are Facts*, op. cit., pp. 111–12, 155. Wali Khan's description of Anwar's task in the NWFP is worth quoting in full: 'For the first time, in this part of the country, disruptive forces raised their head in the person of Major Khursheed

tribes and was best situated to rouse them. Anwar had worked with the Pir of Manki Sharif in 1946. At that time he had been assigned the task of organizing a procession a day to the Assembly hall in Peshawar. The processions included students, who were his special responsibility, and the disciples of the Pir.[31] It was thus no accident that early in 1947 the Pir, a key member of the NWFP Muslim League, openly threatened a jihad to conquer Kashmir for Islam, and that eight months later an officer with whom he had worked closely was sent to command the self-same operation in his area.

Akbar Khan's account completely exposes the Kashmir operation for what it was: not a spontaneous uprising, but a clandestine operation designed by Pakistan for the annexation of the state by force. His suspicion, never held too strongly even by him, that Anwar had acted on his own and upset Pakistani calculations would have been difficult to believe at the best of times. But given Anwar's importance in the League's grand design, his familiarity with the Frontier, and his previous working experience with the Pir of Manki Sharif and other tribal leaders, it is difficult to avoid the conclusion that the Raiders were from the outset intended to be the real spearhead of the Pakistan government's annexation plan, and that the instigation or support of insurrectionary activity and communal mayhem in Poonch and Jammu was a diversionary tactic designed to disperse and pin down the state forces and prevent them from regrouping, for instance, at the mouth of the strategic Uri gorge through which raiders had to pass before entering the Kashmir valley. This would explain the general lack of interest in Khan's plan at the Lahore meeting and the clear impression he got that Anwar was receiving orders directly from a higher authority than Shaukat Hayat Khan, the nominal coordinator of the annexation plan.

Anwar. It was clear to one and all, that it were the anti-national elements and Goondas who had been paid to start plunder and arson, with an unlimited license to kill. They forcibly took possession of the houses, business premises, and factories of the non-Muslims. Their terrorizing tactics were expected to prove the negligence of government officials in protecting the non-Muslims' (p. 155).

[31] Ibid., p. 112. Wali Khan quotes Erland Jansson's *India, Pakistan or Pakhtoonistan*, p. 169, for this important piece of information.

Although Akbar Khan's book was published fourteen years ago and confirmed much of the circumstantial evidence that had always existed about the true nature of the tribal incursion, the belief that there had been a spontaneous uprising in Kashmir stubbornly persists.[32] Its protagonists insist on believing that only a small number of tribesmen actually entered Kashmir, most certainly not more than 5,000 and probably as few as 2,000; that they came at the invitation of the local Muslims who had risen against the Maharaja and his oppressive regime, and that by the time the Maharaja acceded to India he had been all but dethroned. An Azad Kashmir government had come into being, and the Maharaja had been forced to flee the valley to Jammu. At the time of accession, therefore, he controlled only Jammu and Ladakh.[33]

The files of correspondence at the India Office Records Library help to lay this bogey to rest, once and for all. So far as a domestic insurrection is concerned, apart from saying, in his last report, that till 29 September there had been no trouble whatever in the state, Gen. Scott also reported that in the future, the threat to the state would not come from Jammu or the Muslims in Poonch:

> Should Kashmir accede to India, trouble will come not from immediately within the state, but [from] the fanatical tribesmen of Hazara and the Black Mountain, and the Muslims in Jhelum and Rawalpindi.
>
> The vast majority of the Kashmiris have no strong bias for either India or Pakistan . . . but they realize that a hostile Pakistan could seriously disrupt Kashmir's economy. There is no well organized body in Kashmir advocating accession to Pakistan, . . . *on the other hand the Muslim*

[32] Lamb, op. cit., pp. 133–5, 150. Lamb independently concedes what Batra reported to Symon, that tribesmen had entered Poonch at the end of September. But although he quotes Akbar Khan's memoirs frequently, he does not mention the despatch of rifles or the recruitment of INA other ranks for infiltration into Poonch. Having established in this manner that the rebellion in Poonch was spontaneous, he goes on to suggest that a few individuals in Pakistan took matters into their own hands because they surmised that if the Maharaja asked for Indian help to suppress the rebellion in Poonch, then 'might not the war overflow [across the Jhelum] into Pakistan itself'. So to prevent this war, these individuals decided to wage a war that made Indian involvement certain! (p. 132).

[33] Ibid., p. 150.

National Conference has been pro-Congress and anti-Pakistan. Although Sheikh too realizes the economic difficulties and certainty of war between India and Pakistan. [Emphasis added.]

Scott concluded his report gloomily by predicting that 'neither dominion could refrain from intervening in the Kashmir conflict [that would ensue, presumably if the Maharaja decided to accede to India]'.[34] In saying that the Maharaja could not speak for more than Jammu and Ladakh, Lamb somehow forgot the valley of Kashmir which contained half the population of the state, and was firmly in the grasp of Sheikh Abdullah.[35]

As for a rebel government of Azad Kashmir, the *Daily Express* of 6 October did carry a report that on 2 October or thereabouts: 'A rebel Muslim government has been set up in mountainous Kashmir in the far north of India.' It quoted one Mohammed Anwar as having proclaimed, 'We have seized power . . . No citizen or officer or subject of the state shall obey any order issued by Hari Singh. . . .' This government was set up in Muzaffarabad, the *Express* reported, 20 miles from the Pakistan border. But when the UK government asked its High Commission to ascertain whether the report was true or not, the latter sent the following telegram to the Secretary of State for Commonwealth Relations on 18 October, 'Ministry of Foreign affairs have no, repeat no, confirmation of any rebel provisional government, and believe report to be incorrect'. So apparently not only was there no insurrection, but as of 18 October, no rebel government either.

Lamb's claim, and that of other writers, that only 2,000 to 5,000 tribesmen invaded the valley, is also belied by the documents in the IOR library. If Khurshid Anwar himself was to be believed, 4,000 tribesmen went in with him on 'D' day—21–2 October. Thousands more followed over the next two weeks. An unofficial checkpost set up

[34] UK High Commission in Pakistan telegram to CRO, 8 Oct. 1947.

[35] Copland has concluded, after his detailed study of political developments in Kashmir at the time, that 'clearly, the NC remained, at the time of the tribal invasion the dominant political party in Kashmir', and that its support was mainly to be found in the valley (op. cit., p. 237). He also reports that one inside source in the Muslim Conference reckoned that by October 1947, support for the Muslim Conference was virtually 'null and void' (ibid.).

by the British in Abbotabad four days after the incursion began, estimated that as of 30 October, 6,000 more tribesmen had passed through the town on the way to Kashmir.[36] Finally, in his 10 November despatch to the *Daily Express*, Sydney Smith recounted that he had seen 45 busloads with fifty tribesmen apiece, i.e 2,250 tribesmen going up to Kashmir since he had been in captivity in Abbotabad.[37] In other words, by 30 October, i.e. in the first week of the invasion, about 10,000 tribesmen passed through this one town on their way to Kashmir, and a week later the figure had risen to around 12,500. This was not, of course, the only route to Kashmir, nor the only direction from which the raiders came. Nor did this figure include the tribesmen from Hazara and elsewhere who had entered Poonch and other areas along the Punjab border before 22 October. The Indian White Paper's estimate that there might in all have been as many as 70,000 tribesmen involved in the Kashmir operation by March 1948, no longer sounds as incredible as Lamb would have us believe.

The crucial question, however, is why the tribesmen came? Pakistan's explanation which, judging from the files and notations of the Commonwealth Relations Office, the British government accepted uncritically, was that the Pathan raiders came spontaneously to the aid of their suffering Muslim brethren; that Pakistan did everything short of engaging them militarily to prevent them; but that when the tribesmen heard that Kashmir had acceded to India, and particularly that Sikh troops had been sent in to Srinagar, there was no holding them back. For scholars, at least, the despatches of Sydney Smith in the *Daily Express*, the Indian White Paper, Khurshid Anwar's background and prior history, his interview to *Dawn*, and above all, Akbar Khan's book, should have discredited that explanation, but it has obstinately lingered on. However, direct confirmation of all that the nameless Colonel said in his letter from Abbotabad to Capt, H. Stringer, is available in the correspondence between Iskander

[36] Telegram from UK High Commission in India, 11.35 p.m., 30 Oct., IOR L/P&S/13/1845b.

[37] White Paper of the Government of India on the invasion of Kashmir. A copy is available in the IORL as part of L/P&S/13/1845c.

Mirza, the first President of Pakistan, and Sir Olaf Caroe. In a letter written to Caroe in 1968, Mirza revealed that the Muslim League had sent the tribesmen into Kashmir in 1947 without the knowledge of the Governor, Sir George Cunningham. This is a subject to which I shall return later.

3
Accession Under Duress?

Kashmir was not a communally polarized state. There had been no spontaneous uprising of 'Muslims' against the Maharaja, and no attempt by him and his 'Dogra' state forces to 'cleanse' the state of its Muslim population. Prior to the end of September there had been no breakdown of the state administration, and when this did occur, it was engineered by Pakistan as a prelude to sending in the raiders to annex the state. But could it be that Pakistan merely fell into a trap of India's and Britain's making? This is indeed Alastair Lamb's central contention in his *Disputed Legacy* (1991).

The best course, once more, is to let the Transfer of Power documents, the India Office Records, and contemporary accounts and papers speak for themselves. These show:

i) That the Indian government did not have any special designs on Kashmir prior to the invasion by the Raiders on 22 October. On the contrary, not only did it do nothing to persuade or coerce the Maharaja, but went out of its way to assure him that it would not object if the state acceded to Pakistan.

ii) That a few Congress leaders, of whom Sardar Vallabbhai Patel was the most important, did make an attempt to persuade the Maharaja that it would be in the best interest of the state to accede to India. In this the Congress was no different from the Muslim League and Jinnah, who were putting pressure, and holding out tempting inducements to make him accede to Pakistan.

iii) However, even this bid was half-hearted because of a sharp, if quiet, disagreement between Pandit Nehru and Patel on the conditions that the Maharaja had to fulfil before accession. Pandit Nehru

was emotionally much more involved with Kashmir than Patel, but was adamant that bringing democratic rule to the state was more important than securing it's accession to India. He therefore put all the pressure he could muster on the Maharaja to release Sheikh Abdullah and other political detenus and hold an election. This included refusal to countenance Kashmir's accession to India until the Maharaja held such a free election, or had, at the very least, brought the Sheikh into his government as a prelude to holding it. Nehru felt reasonably confident that an election would bring the Sheikh to power and that, given his opposition to the creation of Pakistan, his strongly professed secularism, and his personal friendship with Nehru, Abdullah would prefer to join India rather than Pakistan, but he was fully prepared to accept his decision if it went the other ways

Patel, by contrast, was more legalistic in his approach. He was less determined to secure Kashmir's accession than Nehru, but was also far less bothered with ascertaining the wishes of the people first, once the Maharaja had made up his mind.

iv) There is conclusive evidence that, far from anyone in India having plotted to seize Kashmir, it was the Maharaja who first decided, on his own, sometime in September, that he had no option but to accede to India, and Nehru who rebuffed him. The primary reason for his long delay (which continued till he had changed the history of the entire subcontinent) was his aversion to both Nehru and Sheikh Abdullah. Hari Singh knew that an election would bring the National Conference to power. This would mean the end of his rule over Kashmir. One can challenge the wisdom of the Maharaja's desire to accede to India without getting at least one of the major political movements in the state behind him. One may even question, as the CRO did, the wisdom of India's decision to accept accession from a state where three-quarters of the population were Muslims without first ascertaining the wishes of the people—which is precisely the point that Pandit Nehru kept making both before and after Kashmir actually acceded to India. But one cannot challenge, under the Indian Independence Act, the Maharaja's *right* to accede to the dominion of his choice. This remained Patel's consistent position, both before and after the accession.

v) Lastly, as has been stated above, far from there being any evidence that Mountbatten or the British colluded with India in hatching a conspiracy to deny Kashmir to Pakistan, there is conclusive evidence that Britain wanted Kashmir to be a part of Pakistan all along. The reason lies imbedded in Britain's strategic goals after the Second World War. The way these shaped its policy towards South Asia after the transfer of power, and consequently, its reaction to the Accession will be taken up below.

The most unambiguous and most frequently quoted evidence of India's hands-off attitude to Kashmir, is the assurance Mountbatten gave to the Maharaja during this visit to his state that the newly created States Department in Delhi, would not consider it an unfriendly act if the Maharaja decided to accede to Pakistan.

Mountbatten tackled the question of Kashmir's future status for the first time when he went to Kashmir for a short holiday from 18 to 23 June, two weeks after announcing the Partition plan. During his visit he was unable to pin down his host, the Maharaja, to a formal discussion about the future of the state, but had several informal discussions with him on the subject, especially during their long car drives.[1] He reported the gist of these talks to the Maharaja's prime minister, Kak, with whom he also had separate discussions, and gave a full account of the two sets of talks to Pandit Nehru when he returned to Delhi.[2]

Mountbatten urged Hari Singh and his prime minister, Pandit Kak, not to make any declaration of Independence, but to ascertain 'in one way or another, the will of the people of Kashmir as soon as possible and to announce their decision by 14 August. . . .' He told them that the newly created States department [under V.P. Menon] *was prepared to give an assurance that if Kashmir went to Pakistan this would not be regarded as an unfriendly act by the Government of India.*

[1] Alan Campbell-Johnson, *Mission with Mountbatten*, p. 120. Campbell-Johnson, Mountbatten's Press secretary, recorded in his diary that 'the only conversations that took place [between Mountbatten and the Maharaja] were during their various car drives together'.

[2] H.V. Hodson, *The Great Divide*, OUP, Oxford, 1969; OUP, Pakistan, rpt 1985, pp. 441–3.

(Emphasis added.) Mountbatten had wanted to repeat all this at a formal meeting with the Maharaja's staff, with official note-keeping, but after fixing the meeting for the last day of the Viceroy's visit, Hari Singh called it off, pleading colic![3]

Mountbatten's notes are not the only evidence that the Indian government had no designs on Kashmir other than Nehru's obsession with getting the Sheikh released and somehow pressurizing the Maharaja into holding an election. In his final report on Kashmir, Gen. Scott wrote that 'there was no evidence of any specific activity by the Government of India to persuade Kashmir to join India'. He however noted that the Maharaja's household, consisting of the Maharani, her brother Thakur Nachint Chand, and his astrologer were busy

[3] Alan Campbell-Johnson, *Mission with Mountbatten*, Robert Hale Ltd, London, 1952, p. 120. Karan Singh, son of Maharaja Hari Singh, who was 16 at the time, also remembers Mountbatten bringing an assurance from the Indian leaders to this effect. See *Autobiography, 1931–67*, OUP, New Delhi, 1989, p. 48.

Lamb, however, makes the extraordinary suggestion that the conversations with Hari Singh that Mountbatten reported to Kak most probably never took place, and therefore that Mountbatten was in all likelihood lying both to Kak and Nehru. He chooses not to attach any importance to a letter written by Sardar Patel to the Maharaja on 3 July. Sardar Patel says, 'I was greatly disappointed when His Excellency the Viceroy returned without having a full and frank discussion with you on that fatal [fateful] Sunday, when you had colic. . . .' This certainly does not suggest that no discussions whatever took place. And for a very large number of people over the next fifty years, the Maharaja's attack of colic did indeed prove fatal.

Building upon his belief that Mountbatten only talked to Kak, Lamb attaches a special meaning to the Viceroy's conversations with him, as indicative of those being intended to put pressure on the Maharaja to accede to India. As proof of this, Lamb contrasts Mountbatten's weak assertion that Jinnah would protect the Maharaja from the pressures put on him by Congress, with his use of the word 'inevitable' when referring to the considerate treatment he would receive from the Hindustan assembly. Apart from the fact that this is a record of a conversation about another conversation, and can hardly therefore be considered a precise account of what was actually said, Lamb overlooks the obvious explanation, namely that Mountbatten was in far closer touch with Nehru, Patel, and V.P. Menon, who were all members of his interim government, than he was with Jinnah, who was not.

Lamb's has ignored (*Kashmir: A Disputed Legacy*) the more significant part of Mountbatten's talks with Kak. Mountbatten's note continues as follows: 'it was not for him [Mountbatten] . . . to suggest which Constituent Assembly they should join, but clearly Kashmir should work this out for themselves on the basis of the best

persuading him to do so.[4] The UK High Commission in Karachi also admitted, albeit grudgingly, that there was no direct evidence of this kind. In a telegram to London dated 7 October, referring to India's insistence on a referendum in Junagadh, the High Commissioner had commented that this (the Junagadh referendum) was a test tube case for Hyderabad, 'although every argument gained in these two cases works against the government of India in respect of Kashmir. This does not embarrass their diligent efforts to secure the accession of Kashmir.' However, presumably on a pointed query from London, the High Commissioner sent a later correction to the telegram, stating that his allegation (about Kashmir) was based on *talk* (emphasis in original), and that there was no direct evidence to support it.[5] Lastly, in a letter to Sardar Baldev Singh, written on 13 September 1947, when seeking the release of Col. Kashmir Singh Katoch from the Indian Army for secondment to the Kashmir state forces, Sardar Patel suggests, 'It would be best therefore, to lend his services for a period

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advantage to the ruler and his people *and in consideration of the factors of geography* and the probable attitude of the Congress and the Muslim League respectively to Kashmir.' [Emphasis added.]

Given that 77 per cent of the state of Jammu & Kashmir was Muslim and the only all weather road out of the valley in 1947 ran through Muzaffarabad to Rawalpindi, the additional reference to geography can far more directly be interpreted as a subtle hint to the Maharaja that he should consider joining Pakistan, than the convoluted meaning that Lamb has sought to give to two words in the latter part of the same note. This interpretation is, if anything, reinforced, by Mountbatten's assurance that the Indian States department would not consider his accession to Pakistan as an unfriendly act. Indeed, as will be shown later, if Mountbatten was actually gently hinting that the state should accede to Pakistan, he would have been doing no more than his duty. As Sir Alan Campbell-Johnson told me on 23 September 1994, there was a settled belief in the India Office in London, shared by the British staff of Mountbatten in New Delhi, that Kashmir should go to Pakistan not only because it had a majority of Muslims, but also because in some fundamental way Pakistan would not be complete without Kashmir.

[4] Scott's last despatch, sent from Karachi, op. cit. Scott was right about the first two but wrong about the third. Till very late in the day, the Astrologer encouraged Hari Singh to try and remain independent, saying that he saw (in the stars!) Gulab Singh's flag fluttering over all the land from Lahore to Ladakh. This was confirmed in my conversations with Dr Karan Singh.

[5] Both the telegram comparing Kashmir to Hyderabad, and the correction were sent from Karachi on 7 October, IOR L/P&S/13/1845b.

of three years on the condition that if the State decides to join the other dominion, Col. Katoch will revert to the Indian dominion'. A formality perhaps, but one that nevertheless reinforces the surmise that India would not try to block Kashmir's accession to Pakistan if the Maharaja decided upon it.[6]

Patel's correspondence and files in the India Office Records Library do not therefore furnish any reason to alter Hodson's judgment of 1969, that:

> From these records it is abundantly clear, first, that the advice the Maharaja received was not to hurry but to consider the will of his people in deciding which new dominion to join; secondly, that not only the viceroy but also Pandit Nehru and Sardar Patel openly accepted the possibility that Kashmir might accede to Pakistan; thirdly that the Viceroy went to great lengths to prevent even an appearance of undue political pressure on Kashmir from the Congress; and finally that Pandit Nehru's personal emotions were deeply engaged, though at this stage they were more concerned with the fate of Sheikh Abdullah and the rights of the people than with the accession of the State.[7]

The Indian government was not trying to persuade the Maharaja to accede to India, but this did not mean that the Congress party was indifferent to the issue. In this respect there was a dichotomy between party and government in what what was soon to be the Indian Dominion, that paralleled the dichotomy that emerged in Pakistan after 15 August. However, the organization of the Congress and the Muslim League, their relationship with their respective governments, the degree of determination to acquire Kashmir, and consequently, the methods that the two political parties were prepared to use, were very different. As early as 14 February 1947, Webb reported to the Viceroy that the Congress high command was showing a continuing interest in Kashmir.[8] In June, after returning from Kashmir, Mountbatten had to 'lecture his prime minister severely' to prevent him from haring off to Kashmir again to meet Abdullah. However, it was not till 3 July

[6] *Sardar Patel's Correspondence, 1945–50*, ed. Durga Das, Navjivan Publishing House, Ahmedabad, doc. 39, p. 87.

[7] Hodson, op. cit., p. 443.

[8] Webb's fortnightly letter to the Crown Representative, for 1–14 Feb. 1947, loc. cit.

that the Congress party established formal contact with the Maharaja. This was done by Patel in the letter cited above. In this Patel wrote:

> Rai Bahadur Gopal Das [a prominent Hindu of Lahore] saw me today and conveyed to me the substance of your conversation with him. I am sorry to find that there is considerable misapprehension in your mind about the Congress. Allow me to assure Your Highness that the Congress is not only not your enemy, *as you happen to believe* [emphasis added] but there are in the Congress many strong supporters of your State.

After a reference to Nehru's arrest by the Kashmir government in June 1946, when he tried to enter Kashmir to meet Sheikh Abdullah who had been sentenced to three years' imprisonment for starting a 'Quit Kashmir' movement against the Maharaja and Dogra rule,[9] Patel continued:

> Having had no personal contact, my correspondence has been with your prime minister since the arrest of Sheikh Abdullah and my efforts have been to persuade him to have a different approach to the problem, which in the long run would be in the interest of the State. It is unfortunate that none of the Congress leaders has got any contact with Your Highness.

Patel went on to assure him that the Congress has no intention of interfering in Kashmir's domestic affairs, and then made his pitch:

> I wish to assure you that the interest of Kashmir lies in joining the Indian Union and its Constituent Assembly without any delay.[10]

The letter is important because it shows that the Maharaja viewed the Congress as an enemy because of Nehru's championship of Abdullah; that this had prevented the India leaders from having any contact with Hari Singh, and that although Patel wanted Kashmir to join the Indian Union, and urged on the Maharaja a different approach to Abdullah, to him, unlike Nehru, this was not, a precondition for accession to India.

[9] This movement had no communal purpose or foundation. Its only goal was to recapture, for the National Conference, the political ground that it had lost after 1943 by cooperating with the Maharaja. Abdullah decided that the best way to do this was to mount a highly populist campaign against the Maharaja in the state. As Copland has shown, citing contemporary accounts, the move succeeded. Op. cit., pp. 233–7.

[10] *Patel's Correspondence.*

Patel's letter apparently broke the ice between the Congress and Maharaja Hari Singh. It was followed by detailed discussions between the latter and Dewan Gopal Das, in which the Maharaja promised to declare a general amnesty and dismiss his prime minister Ramchandra Kak, who was considered, rightly,[11] to lean towards independence or accession to Pakistan.[12] However, all this became possible because, by the beginning of July, the Maharaja had veered around to the view that if he could not remain independent he would prefer to accede to India rather than Pakistan.

Scott's assessment was entirely accurate when he said that the deciding factor was the pressure on Hari Singh from his family. This pressure must have begun as far back as March or April, for at the end of the latter month, Hari Singh allowed the Maharani to journey to Lahore to meet Justice Mehr Chand Mahajan of the East Punjab High Court,[13] to sound him out about the possibility of his becoming the Dewan of Kashmir in place of Ram Chandra Kak who, as Webb had reported to the Viceroy, preferred independence for Kashmir and close ties with Pakistan. The two met at Flatti's Hotel in Lahore on 1 May. During their conversations, she offered him the post of prime minister, and asked him to come to Kashmir for an interview with the Maharaja. Mahajan was, however, non-committal on that occasion but accepted the invitation when it was renewed at the end of August.[14]

[11] In his last report Scott says that Kak believed that Kashmir should stay independent, but have closer relations with Pakistan. In fairness to Kak, this was not a reflection of pro-Pakistan sentiment, but a realistic assessment that the Maharaja had only two options: release Abdullah, resign himself to becoming a figurehead, and accede to India, or keep Abdullah in jail, accede to Pakistan, and retain his titular internal powers for some time longer. Since neither was palatable, seeking to remain independent was the only course left open to him.

[12] *Patel's Correspondence*, vol. I, no. 36, encl.

[13] This meeting is recalled by Mahajan in his book, but he does not say precisely why, or for that matter how, he met the Maharani in Lahore. The information that she had gone down specially to recruit Mahajan for the premiership was given to me by Dr Karan Singh, who had accompanied his mother to Lahore, knew the purpose of the visit, and was present at the meeting. Conversations with Dr Karan Singh, 1994.

[14] Mahajan, op. cit., p. 123. Mahajan does not say what exactly their conversation in May was about, but Dr Karan Singh recalls it vividly. 'He was being difficult and

The letter from Patel and his conversations with Dewan Gopal Das, strengthened Hari Singh's resolve. He created a scene with Kak in full durbar, forced him to resign on or around 16 August,[15] and placed him under house arrest soon afterwards.[16] But Hari Singh remained unwilling to take the next logical step, which was to free Abdullah and establish a working relationship with him. Thus the general amnesty was not announced and Sheikh Abdullah remained in jail till 29 September.

Since Mahajan had, in the meantime, been made a member of the Punjab Boundary Commission, Hari Singh appointed Gen. Janak Singh Katoch, whom Karan Singh describes as an old family retainer, as an obviously caretaker prime minister. On 25 August, 10 days after the Boundary Commission was dissolved, the Maharani again wrote to Mahajan asking him to visit Srinagar, and this time Mahajan accepted. Braving floods and bad roads he arrived in Srinagar on 13 September. By then the Maharaja had taken the next important step in building a lifeline to India: he had asked for the services of Col. Kashmir Singh Katoch, of the Indian Army, on secondment to head the Kashmir state forces. Kashmir Singh was Gen. Janak Singh's son. The very first task that the Maharaja entrusted to Mahajan was to secure Delhi's acceptance of Kashmir's accession, *without insisting on a referendum or any other step of internal administrative reform, designed to bring Sheikh Abdullah into the government.* What happened in Delhi is best stated in his own words:

I also met Pandit Jawahar Lal Nehru, the Prime Minister of India and I told him the terms on which the Maharaja wanted me to negotiate with India. The Maharaja was willing to accede to India and also to introduce necessary reforms in the administration of the State. He, however, wanted the question of administrative reforms to be taken up later on. Panditji

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asking for all sorts of assurances, till I could not stand it any longer, and burst out, "Is our kingdom so small that we have to plead with him to become its prime minister", I asked my mother.' Dr Karan Singh described this to me during an interview on 10 Oct. 1994.

[15] Karan Singh, op. cit.

[16] Kak however returned to the Maharaja's service within a few weeks but not as prime minister, as a letter from him to Patel, of 1 October, reveals. See *Patel's Correspondence*, vol. 1.

wanted an immediate change in the administration of the State and he felt somewhat annoyed when I conveyed to him the Maharaja's views. Pandit Nehru also asked me to see that Sheikh Abdullah was set free.[17]

Mahajan reported his conversation to the Maharaja, but Hari Singh remained adamant. In Lahore Mahajan received a letter from the Maharaja telling him:

The one thing that is vital from the point of view of the immediate necessity of the State is the ability of the Government to choose its own time for the orientation and association of the people for their own betterment, security of life and property and full development. You should be able to convince the persons concerned about this aspect of the case before you arrive here. A visit to Delhi will, of course, be necessary.[18]

Despite Nehru's rebuff, the Maharaja continued to try and meet his terms halfway. Immediately after receiving Mahajan's news, he set about reaching a *rapprochement* with Sheikh Abdullah. While he still insisted that internal reforms should follow accession, he did his best to remove the principal obstacle to Nehru's acceptance of his accession. He sent his brother-in-law, the Household Minister, Thakur Nachint Chand, to see Abdullah in the bungalow to which he had been moved from jail, to patch up his differences with the Maharaja. Abdullah's letter to the Maharaja, written on 26 September, is of great significance because it sought to reassure the Maharaja that his

[17] Ibid., p. 126. Lamb's contention that the Maharaja began to look for a new prime minister in late August or early September, and that Mehr Chand Mahajan was Patel's nominee, who had extensive discussions with Patel and Nehru before coming to Kashmir, and therefore was in fact India's man in Srinagar, is inexplicably far off the mark. Mahajan went to Kashmir first after receiving the Maharani's summons. It was Hari Singh who asked him to talk to the Indian leaders while in Delhi. From Mahajan's description, he was to sound out the Indian leaders' reactions to the possibility of Kashmir's accession to India. (*Looking Back*, p. 126.) Only then did Mahajan go to Delhi. If Mahajan's record of events is accurate, then it completely demolishes Lamb's contention that there was some kind of conspiracy between Patel, Mahajan, Nehru, and possibly Mountbatten to secure Kashmir's accession to India. For it was the Maharaja who took the decision and asked Mahajan to execute it on the best possible terms for him. Lamb's failure to record this part of what Mahajan has to say can only mean that he does not believe him, i.e. that he chooses to believe only those parts of what Mahajan has written that suit him.

[18] Ibid.

personal anti-Dogra campaign was now a thing of the past, and that freedom for his party to operate politically in the state would not automatically lead to a revival of demands for the Maharaja's abdication. The Sheikh wrote:

> In spite of what has happened in the past, 'I assure your Highness that myself and my party have never harboured any sentiments of disloyalty towards your Highness' person, throne or dynasty. The development of this beautiful country and the betterment of its people is our common interest and I assure your highness the fullest and loyal support of myself and my organization.[19]

The Maharaja then sent a trusted aide, Thakur Harnam Singh Pathania down to Delhi with the Abdullah's letter on 28 or 29 September and Nachint Chand wrote to Mahajan to tell him what had been done to meet Nehru's demands.[20] On 29 September, probably the very day that Pathania set out for Delhi, Sheikh Abdullah was released. A few days later he flew down to Delhi.

It is difficult to overestimate the importance of Mahajan's matter-of-fact statement of the mission on which the Maharaja had sent him. It shows that far from there having been a conspiracy between Patel, Batra, Nehru, and Mountbatten to make Kashmir a part of India, it was the Maharaja who made up his mind to accede first, and Nehru who remained the main stumbling block to accession, with his insistence that the Maharaja must first get the backing of the majority of the people through Sheikh Abdullah. Had Nehru been more accommodating, as Patel clearly wanted to be, Kashmir would have acceded to India well before the raiders invaded the state. The accession would have been incontestable not only on legal grounds, which were never in doubt, but what is more important, because it would demonstrably not have been under duress.[21]

India did not enter into a conspiracy with Batra, Mahajan, and other underlings of the Maharaja for the simple reason that India did

[19] Karan Singh, op. cit., p. 82.

[20] Mahajan, op. cit., p. 127.

[21] This is precisely what Jinnah was insisting upon in the case of Junagadh at that very moment. As a CRO note cited later shows, the British were also of the same opinion, because they continued to regard Junagadh as part of Pakistan after it had been 'liberated' by India.

not need to. The real bone of contention between the two governments was entirely different and persisted to the point where, if Mahajan's account of his second meeting with Pandit Nehru on 26 October is to be believed, Nehru was prepared to lose the valley and Srinagar to the raiders and retake it later, if this was necessary to force the Maharaja to take Abdullah into the government.[22]

There is not the slightest possibility that Mahajan fabricated this conversation because there is an abundance of supporting evidence of the Maharaja's intentions. At about the same time that Mahajan was meeting Patel and Nehru in Delhi (between the 19 and 21 September), Scott was deciding to leave the Kashmir government's service on the grounds that 'the Maharaja had more or less made up his mind to accede to India'. As Scott reported from Karachi, the Maharaja's chief of police, a Mr Powell, also resigned at the same time, citing the same reason. In preparation for this the 'Household' had begun to issue orders to the police behind Powell's back.[23] In his last report Scott gave a detailed description of the various straws in the wind that had made him draw this conclusion: the release of Sheikh Abdullah and his immediate departure for Delhi, the return of Ghulam Nabi Baksh, a National Conference leader, who had been externed, and the imprisonment of one or two Muslim Conference leaders.

Nor were the Maharaja's intentions unknown in Karachi. In the first week of September, Scott received a query from the Pakistan Army headquarters that took him by surprise. They wanted to know whether, 'in view of the impending political changes', Scott needed any assistance in moving British families out of Kashmir. When Scott saw the Maharaja on the 9th, the latter denied that any political change was in the offing. The only impending change that could have motivated such an enquiry was Kashmir's accession to India, because it was a settled belief among the British in India at the time that all Muslims would automatically want to go to Pakistan, and therefore that accession to India would spark off widespread turmoil and violence in Kashmir.

On 26 September, the *Pakistan Times*, whose owner was, as

[22] Mahajan, op. cit., p. 151.

[23] Gen. Scott's last report, op. cit.

mentioned earlier, a prominent member of the Muslim League, published a report on its front page, datelined Srinagar, stating that 'Kashmir has decided to join the Indian Union'. Its Srinagar correspondent said that the decision had been taken two weeks earlier. The report, which appeared highly speculative at the time, was almost entirely accurate. It placed the Maharaja's decision a day or two before Mahajan's arrival in Srinagar. Although the source of the information was not given, it is very likely that it was none other than Jinnah's secretary, K.H. Khurshid, who knew the valley well, and had been in Srinagar monitoring political developments since the beginning of July. A native of Gilgit, he had been active in student politics in the state and had a large network of contacts. By 7 October, as the UK High Commission in Pakistan reported, the Maharaja's impending accession to India was bazaar gossip in Pakistan, and obviously the Pakistan government was aware of it.

Patel's correspondence shows that after Mahajan's visit to Delhi, relations between the two government's developed rapidly. Kashmir asked for essential supplies of salt, foodgrains, gasoline, and kerosene, all of which had been held up by Pakistan despite its standstill agreement with Kashmir. Kashmir also sought communications equipment for the airport and for secret communications between Kashmir and the Indian government, Bailey bridging equipment to replace bridges blown up by the insurgents and their Pakistani associates in Poonch, and for a speedy improvement of the road from Jammu to Srinagar via Kathua.[24] Everyone in the home and defence ministries was full of good intentions and did everything they could to ensure that the maharaja got all he wanted to withstand the threat from across the border. On 7 October, Patel wrote to Baldev Singh requesting expedition of supplies of arms. He also urged that the question of military assistance be brought up before the Defence Council. But in the final analysis, when the raiders invaded the state, other than an improvement of the radio and telephone link, and perhaps some supplies of cloth, salt, gasoline, and a few other essentials,

[24] Op. cit., docs. 39, 43, 46, 47, 48, 52, 61, 62. These are exchanges of letters between Patel and Mahajan, Batra, and the Maharaja on the despatch of various supplies.

no military material had actually reached Srinagar. On 21 October, Batra wrote to Patel in somewhat plaintive terms, that while Katoch had arrived, no ammunition had, and there was 'no probable date' for this to happen. He also mentioned that he had asked for aviation spirit but had received no intimation of its supply.[25]

The Maharaja had the unquestionable *legal* right to accede to either dominion, but was he morally justified in choosing India? Pakistan's case for reopening the question of Kashmir's accession rests, almost half a century later, on the premise that he did not. The fact that 77 per cent of the state's population was Muslim also predisposed the rest of the world, and especially the British government which felt a responsibility for seeing Partition through, to holding the same opinion.

All these government's, including Delhi, would have been justified in taking this position if the Maharaja had been hustled into the accession by the invasion from Pakistan. But if the Maharaja had definitely decided to accede to India five to six weeks before the tribal invasion began, and was only being prevented from doing so by Nehru's obduracy, then the grounds on which he made his decision need to be evaluated afresh. If these were not entirely, selfish, capricious, or irresponsible, then the Accession cannot be questioned, irrespective of how the issue was subsequently handled by India's representatives at the UN. For to question Hari Singh's right on any other grounds is to call into question the very basis of Partition—the Indian Independence Act. It is therefore necessary to examine Hari Singh's motives more closely.

Maharaja Hari Singh has left no account of his life or of the historic moments that preceded and followed Indian independence. As a result, the case that has been built against him by contemporary scholars and historians, has almost been one by default. Hodson, who

[25] Ibid., doc. 62. It was the failure of the Indian government to send up sufficient military supplies in time that accounts for Mahajan's truculence on 26 October in Delhi and his insistence that he would not leave for Jammu until he had heard that the Indian troops had actually arrived in Srinagar, for which he apologised handsomely afterwards. Mahajan obviously felt that the Indian government was long on promises but short on performance.

had the most unrestricted access to Mountbatten's papers, and therefore to the view from Government House of the momentous events of the epoch, felt no hesitation in jumping to the conclusion that Hari Singh had had no better reasons for wanting to accede to India than the Nawab of Junagadh's for wishing to accede to Pakistan:

> To submit as a Hindu monarch to Muslim supremacy was a forbidding personal destiny; and he rationalized and reinforced his personal repugnance by the argument that Pakistan was a one community theocratic state, whereas Kashmir nominally enjoyed a secular equality among religions. . . . The Maharaja may well have really believed in this argument, for despots have always been apt to regard their absolutism as impartial and paternal. . . .

Hodson's sweeping judgement is a shade superficial. Pakistan was most certainly not in 1947, any more than it is in 1994, a one community state. Nor was Kashmiri secularism nominal, for it was imbedded in a very different Islamic tradition from that of the Indian plains. Apart from his, and his family's personal preferences, the principal reason why Maharaja Hari Singh became increasingly reluctant to accede to Pakistan was that by early 1947 he was no longer in any doubt about what the Muslim League's strategy of gaining power by promoting communal polarization would do to Kashmir.

Prior to July–August 1947, Hari Singh was unable to make up his mind, not so much because he was indolent or weak, but because he was being pushed powerfully in two opposite directions. He was drawn to India by his own religion and antecedents, but was being impelled towards Pakistan not only by the preponderance of Muslims in the state, and its close geographical and economic links with that dominion, but by everything that was important to him personally—power, status, and prestige. While the Congress was insisting that the princely states must merge with one or other of the successor governments, the Muslim League had professed, initially, that it was willing to respect their sovereignty if they decided to remain independent.[26] This made its subsequent offer to respect his internal sovereignty if he acceded to Pakistan extremely attractive.

[26] Liaquat Ali Khan, in a statement published in *Dawn* on 22 April 1947, specifically gave the princes the right to enter into arrangements with either dominion or

Within Kashmir the Maharaja's position was equally unenviable. He was at loggerheads with the National Conference, whose secular and pluralistic outlook he shared, because it demanded his virtual abdication. But he was being supported by the Muslim Conference, with which he had nothing in common, but whose members were promising him their undying loyalty if he chose to remain independent[27] and full support for his continuing internal autonomy, if he chose Pakistan. Hari Singh cannot therefore be faulted for considering independence to be the best way out of his dilemma.

But when Mountbatten made it clear, after announcing the Partition Plan on 3 June 1947, that the British government would retain no links with the princely states and that they would have to make their own arrangements with one or the other dominion, the Maharaja was deluged with offers of total loyalty from the Mirs of Hunza, the Mehtars of Chitral and other local rulers if acceded to Pakistan. The leaders of the Muslim Conference also urged Maharaja Hari Singh to accede to Pakistan and assured him that they would ensure that he continued to enjoy complete internal autonomy[28] if he did so. On the other side, largely because of Pandit Nehru's personal commitment to Sheikh Abdullah, all that the Maharaja received from India was silence about accession and a barrage of advice on democratizing his regime.

Carrots were not the only inducements offered to the Maharaja by those within and outside his State, who favoured joining Pakistan. As has been mentioned above, in February 1947 the Pir of Manki Sharif threatened an invasion by Pathan tribesmen to ensure that Kashmir acceded to Pakistan when the British left. In August, immediately after Independence, Jinnah, now Governor General of Pakistan, tried three times to visit Srinagar on a personal visit, ostensibly for reasons of health. The Maharaja, who remembered Jinnah's 1944 visit only too

remain independent in the event of India being partitioned. Quoted by Hodson, op. cit., p. 361n.

[27] On 12 April 1947, Chaudhuri Hamidullah of the Muslim Conference declared in the state assembly that if Kashmir became an independent state, he and his party were ready to offer their lives in His Highness' cause. Report for 1–15 April 1947 by W.F. Webb, Resident in Srinagar, to the Viceroy.

[28] Mahajan, op. cit., p. 130.

well,[29] suspected that no visit by him would remain 'personal' for long, and politely demurred. Pakistan then imposed an economic blockade on Kashmir. This prompted the Maharaja's prime minister to send several telegram to Karachi.[30] The cajoling telegram from the chieftains of Dir, Hunza, and Chitral also turned into threats. Major Cranston, a former member of the political service, who had remained behind on the staff of the British High Commission, visited Srinagar from 10–14 October, to make preliminary arrangements should it became necessary to evacuate Britons living in Kashmir, and reported on his return that the Mehtar of Chitral and the Nawab of Dir had formally warned the Maharaja that if he acceded to the Indian union they would invade his state. Quoting what sounds very much like bazaar gossip from Muslim Conference sources, Cranston also reported that 25,000 tribesmen from Hazara, 15,000 from Chitral, and 10,000 from Hunza were poised to invade Kashmir if the Maharaja acceded to India.[31] The Maharaja must have heard the gossip too. Mahajan records that when he took over he heard that tribesmen were being massed for an invasion of Kashmir aimed at seizing Srinagar before the festival of Eid which fell on 26 October. When he told the Maharaja, he found that Hari Singh already knew of it. In fact Patel's correspondence suggests that both the Indian and the Kashmir governments knew of this from at least the end of September.[32] Finally, on 15 October, Jinnah's emissary, a Major Shah, told Mahajan, the newly appointed Dewan (prime minister) that Kashmir's failure to decide immediately to accede to Pakistan could have serious consequences.[33]

Under such a combination of pressures, threats, and promises from one dominion and silence, then harangues on the virtues of

[29] For a detailed description of that visit, *see* Copland, op. cit.

[30] Pakistan insisted that it had not imposed any such blockade, but the UK High Commission reported that the deputy commissioner of Rawalpindi had shown a lot of 'local initiative' in stopping supplies destined for Kashmir. It did not occur to the High Commissioner to ask who was giving the DC his orders.

[31] Report sent from UK High Commission, Karachi, about 18 Oct. 1947. IORL L/P&S/13/1845b, pencil numbered pages 538–40.

[32] *Patel's Correspondence*, vol. 1, docs. 55, 56.

[33] Mahajan, op. cit., p. 142.

democracy, and finally impatient, even short-tempered, rebuffs from the other, a much stronger man than Hari Singh could have been forgiven for taking the line of least resistance and acceding to Pakistan. Through Mountbatten, and later Lord Ismay, the Indian government had already informed him that it would not hold such a decision against him, and all his privileges as a ruler would have been respected at least for the foreseeable future. What is more, he could have left the arch enemy of his entire dynasty, Abdullah, to be dealt with by the Pakistan government as it was even then dealing with Dr Khan Sahib's Khudai Khidmatgar government in the North-West Frontier Province. His prime minister, Kak, was urging him to do precisely this. If he did not want to live under Muslim rule, as Hodson suggests, he could personally have chosen to stay in Kashmir, India, or Britain, or all three. Why then did he resist so stubbornly? Why did his resolve not to join Pakistan harden steadily until even Pandit Nehru's last peremptory demand in September failed to put him off?[34]

The answer is that while Hari Singh was impelled in one direction by what he heard, he was pushed in the other by what he saw. The abundant evidence for the existence of communal harmony in Kashmir before the pot began to be deliberately stirred along the Punjab border in August–September 1947, has already been presented above. As communal violence flared all over north India in 1946, the Maharaja could hardly have failed to sense the immense threat that it posed to Kashmir. In August 1946, Jinnah and the Muslim League launched their 'Direct Action' programme to force the Congress and the British to concede Pakistan. On 16 August, the prime minister of Bengal, Husain Suhrawardy marched down the streets of Calcutta, at the head of a procession to commemorate Direct Action day, and unleashed an orgy of killing in Calcutta that took 20,000 lives in three days. The killing spread to Assam and Bihar, as terrified refugees from Calcutta recounted horrifying stories of the atrocities that were being committed. The month-long Dussehra holidays in Bengal began less than four weeks after the riots had been brought under control. Every

[34] Mahajan mentions that when he reported his conversation with Major Shah to the Maharaja, he said that he was now of the view that Kashmir should not accede to Pakistan.

year at this time Bengalis would fan out to various parts of the country. This year their numbers would have been much smaller than normal, but a few would have come to Kashmir and brought their tales of horror and woe.[35]

In the spring and summer of 1947 the communal madness gradually spread across the whole of northern India. In February riots suddenly erupted between Muslims and non-Muslims in Punjab. The ensuing intense propaganda against the Unionist government for being soft on infidels, brought it down on 2 March, and six days later the Congress party, having understood at last what the spreading communal poison would mean for its hope of freedom, caved in and sought the partition of Punjab as a way of restoring peace, thereby lending greater legitimacy to the Muslim League's demand for Pakistan.[36] The Maharaja could not therefore be blamed for fearing that Kashmir might go the same way.

Hodson has dismissed with contempt the Maharaja's protestations to Lord Ismay that he wanted to shield his state from communal polarization. But if Hari Singh's sudden concern for the common weal needs to be taken with a pinch of salt, his reasons of state for wanting to nip communalism in the bud cannot. Two-fifths of his state forces and the majority of his police were Muslims. The chief of staff—the second in command—of the state forces was a Muslim, as was the chief of police in Jammu. The entire administration was interlarded not

[35] Although I was only 8 at the time, I clearly remember the stories of senseless killing and the terror they inspired in me when an aunt who lived in Calcutta arrived as a semi-refugee in Delhi to stay with my parents. She and her husband lived in a predominantly Muslim area and had been given shelter in their home by her Muslim landlord. Her husband, who was a doctor in the army, stayed on in Calcutta.

[36] Incredible as it may seem, Alistair Lamb traces the partition of India to the Congress Working Committee's acceptance of the (to it) harsh reality, that after these riots that claimed hundreds of (mainly Muslim) lives in Amritsar, and of Hindus and Sikhs in Multan and elsewhere, there was no hope of exorcizing communal animosity. The only way to restore peace in the Province, therefore, was to partition it into a Muslim and a non-Muslim majority province. He seems not to see that the Congress was concerned with restoring peace and was not conceding Partition. Even more strangely, he does not ascribe any role to the Muslim League's decision to demand a separate nation in 1940, or the not-so-covert support that this idea got from the British from that time onwards. See *Birth of a Tragedy*, pp. 16–18.

only with Hindus and Muslims, but the latter included Sunnis, Shias, Muslims from the valley and from the plains. The communal virus would not only cause riots among the people, but would paralyse his administration completely and render him helpless. Throughout the closing months of 1946 and the opening ones of 1947 he saw growing unease among his people and signs of incipient communal tension in Jammu and along the fringes of Poonch and Muzaffarabad. He saw the first communal stabbings in Jammu and Srinagar, and the recovery of knives, in September 1946, a month after the direct action programme was launched by the Muslim League.

And he knew, as did the British Resident, Webb, that the Muslim conference had established direct links with the Muslim League; that Leaguers had been invited from Pakistan to restructure the Muslim Conference, and were busy trying to forge an alliance between the three factions of the Conference and setting up military training camps for the formation of paramilitary units on the lines of the Muslim League National Guards. He must also have known as Webb did, that when the Muslim League called for Direct Action in British India to force the British and the Congress to concede the demand for Pakistan, Agha Shaukat Ali, the Secretary General of the Muslim Conference, had been in favour of starting it in Kashmir too, but did not find much support for the idea within the MC rank and file.[37]

However, what probably convinced Hari Singh that he had to join India if he could not remain independent, was the Muslim League instigated Direct Action taking place right next door, in the North-West Frontier Province. In February 1946, the Khudai Khidmatgars, who were allied with the Indian National Congress, had won an absolute majority of the seats in the NWFP legislative assembly. For Pakistan to be a viable nation it was necessary that this government be dislodged and the League gain ascendancy in the NWFP.[38] The stratagem that the League adopted was to launch a year-long campaign to

[37] Webb's report for 6–31 Dec. 1946, op. cit.

[38] Wali Khan writes: 'Having lost the election in both provinces [Punjab and NWFP] they had no legal or democratic right. So they had to resort to illegal means . . . the real problem was the Frontier; because even among the Muslim members the majority were Khudai Khidmatgars [the frontier Congress].' Op. cit., p. 107.

communalize the attitudes of the people of the Frontier provinces and the adjoining tribal agencies. This took the form of telling the Pathans that the Congress government was a creature of the 'Hindus', and an agent for securing Hindu domination of the NWFP, and of spreading the word that 'since the Hindus were not *ahl-e-kitaab* (a religion of the book, i.e. Islam, Christianity, or Judaism), the Khudai Khidmatgar's support of the Congress during the freedom struggle was tantamount to cooperating with infidels or *kafirs*'.[39] The way in which this propaganda was fanned before Pandit Nehru's visit to the NWFP in October 1946 has already been described. What followed was a systematic campaign of murder, arson, and abduction, aimed at Hindus and Sikhs in the frontier region.[40] The aim was to drive away the Hindus and Sikhs, and possibly to provoke retaliatory violence. An important element in the communalization process was greed. The Hindus and Sikhs of the region were mainly traders and financiers, who had amassed large properties and much wealth. In Rawalpindi alone, as a result of the violence, over 2,000 Hindus were killed. But perhaps the worst atrocities took place in Hazara district, which was a Muslim League stronghold where the party had won 8 out of 9 seats in the 1946 election. From November 1946 to January 1947, refugees

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In a review article on Hodson's book, written in 1969 or 1970, Sir Olaf Caroe, who was Governor of the NWFP throughout these strife-ridden months, from early 1946 to June 1947, wrote, 'But perhaps the most telling point of all this narrative is that the fate of the 3 June, "Menon" Partition plan accepted by the Congress, League and the Sikhs, and the basis of the transfer of power, hung on a resolution of the North-West Frontier problem. This was because under the Khan brothers, this strategic, wholly Muslim region owed allegiance not to Jinnah but to Nehru and the Congress. . . . Even this solution (a "Moth-eaten Pakistan") had a snag. So long as the Khan brothers ruled the Frontier, Jinnah could not claim leadership of Muslim India, and it was impossible for even a moth-eaten Pakistan to emerge. It followed that all Congress efforts were to preserve and all League efforts to upset the Khan brothers in Peshawar.' Paper entitled 'Storms that Still Blow Strong', published in a compilation, *The End of British India*, pp. 59–66. Original publication unknown, Offprint available in the Caroe papers, IORL MSS Eur F203/1.

[39] Wali Khan, ibid., p. 174. This remark is attributed to Sir George Cunningham, but was used by the League in 1946.

[40] ToP docs., vol. IX, no. 527–8, and numerous other references to the killings and abductions that took place.

poured into Kashmir from Hazara till 2,500 were being looked after by the state at Muzaffarabad.

All through the spring and summer of 1947, refugees poured into and through Jammu and Muzaffarabad. So Hari Singh had a very close view of what forming a state on the basis of religion meant for the minorities. What undoubtedly made him decide not to accede to Pakistan, but to remain independent for as long as possible, and to accede to India as the second best alternative, was the fate of the Hindus and Sikhs next door in the frontier region. For in the NWFP, he saw a mirror image of Kashmir, and therefore of its possible fate. Here was a state that was 93 per cent Muslim, but where the majority community was split between the Khudai Khidmatgars and the Muslim League.[41] To break the backs of the former, the latter played the communal card, and to do that they attacked the Hindu and Sikh communities, both to drive them out and reduce the government's followers, and to raise the banner of Islam. In Kashmir too, the Muslim community was split. A sizable part, probably the majority, supported the National Conference, and was against merging with Pakistan. It did not take much political acumen to realize that to weaken the National Conference, the Muslim Conference would have to play the same communal card that the League had played in the NWFP. What would happen then to the 23 per cent of the state's population which was Hindu, Buddhist, or Sikh had already been foreshadowed by Punjab and NWFP ? Thus when the Maharaja saw the Muslim Conference busily modelling itself on the Muslim League, and rapidly deepening its ties with that party, he may well have thought that his worst fears were slowly coming true.

Hari Singh did not therefore need an indecisive nature to do nothing. This was the only course open to a ruler who was militarily weak. He cannot therefore be blamed for deciding that his best course was to do as little as possible to disturb the uneasy balance in the state,

[41] As Sir Olaf Caroe reported in his fortnightly letter to the Viceroy on 9 March 1946, in the February elections, of a total of 347,532 Muslim votes, the Muslim League had polled 145, 510 votes and the Khudai Khidmatgars 143, 571. The latter won because of the way the vote was distributed, and because it had the minority's votes. IORL MSS Eur F203/1.

and wait for the storm to pass. That is why he tried to sign a standstill agreement with both dominions, only to be rebuffed again by India. But Hari Singh was not given the breathing space he craved by Pakistan either. Within days of Independence he saw that Pakistan had no intention of honouring its commitments under the Standstill Agreement. He was subjected to an economic blockade, and then to a rising crescendo of threats. From the end of August, Pakistani Nationals began to enter the state and preach revolt and accession to Pakistan in the name of Islam. The Sattis and Sudhans of Poonch, whom his state forces had disarmed, suddenly 'found' themselves new, modern rifles; Hazara tribesmen appeared in Poonch, and Muslims from across the border began to raid Hindu villages in Jammu, kill the men, burn the homes, and abduct the women. Reprisal raids across the border into Pakistan began, and Muslims began to be killed in Jammu. Everything that Hari Singh had feared was coming to pass

Therefore by the end of August he decided upon the second best option. Kak had been pushed out a few days earlier so the way was open to start building links with India, on the one hand, and to pave the way for an alliance with the National Conference, on the other. On 10 September, Sheikh Abdullah was moved from jail into comfortable house arrest. On 28 September, the Maharaja sent Sheikh Abdullah's letter of *rapprochement* to Nehru as a token of his good intentions, and on the 29th he set Sheikh Abdullah free, to fly to Delhi a few days later. Far from being a weakling and a dilettante who could not make up his mind and was thrown 'into a humiliating and craven despair, in which his paralysis of decision was broken only by prompt action by the Indian government', Hari Singh played the only game that was open to a weak ruler when confronted by immeasurably more powerful forces over which he had no control. He first lay low, doing as little as possible, and waited for the storm to blow over. When that did not happen, he adopted a course of action that he believed would minimize the damage: he repaired his bridges with the principal political force in the state and opted for the dominion which promised to be secular, federal, and multi-ethnic.

4

Signing the Instrument of Accession

Notwithstanding the Maharaja's every effort to comply with Nehru's demands, Nehru continued to insist that the Maharaja should democratize his regime first, before acceding to India. This is what ensured that the Instrument of Accession was signed only after the raiders had invaded Kashmir. But was it signed on 26 October as V.P. Menon wrote in his book. Or was some such document concocted by V.P. Menon and forced on the Maharaja on the afternoon of 27 October, and had Indian troops entered Kashmir even before the Accession. Lamb's assertion that the accession was in some sense a fraud rests crucially on two observations. The first was by Gen. L.P. Sen, that when the Indian troops arrived in Srinagar on 27 October, they found the Patiala State forces already there. According to Lamb, they came initially to Jammu and then around 17 October, to Srinagar. It was the arrival of these troops, he suggests, that made the rebels in Poonch seek the help of Pathan tribesmen.

The second observation was made by Mehr Chand Mahajan in his autobiography. He wrote that he set off for Jammu with V.P. Menon, on the morning of 27 October only after he had ascertained from Srinagar Airport that the Indian troops had landed. Since they landed at 9.00 a.m., this means that unless V.P. Menon had made a separate trip to Jammu on 26 October, and got the Maharaja's signature on the Instrument, it had to be signed on the 27th, after the troops landed in Kashmir. In his 1991 book, Lamb is not sure whether Menon did in fact go to Jammu, but suspects that he did not. Mahajan, for his part does not say that when they went to Jammu on the 27th, they carried

the Instrument of Accession, but only refers to some formal documents. However, in his second book, *Birth of a Tragedy*, Lamb categorically states that V.P. Menon did not go to Jammu on the 26th, and therefore that the entire passage in his book, *The Integration of the Indian States*, in which he describes this visit, is a concoction.[1]

The presence of the Patiala troops at the airport is truly mystifying. As Lamb says, not only is there no trace of them in any records; not only did no British officer in the Indian army know about them, but the files of correspondence between the British High Commission in New Delhi and London, which apparently Lamb had not seen, contained no reference to them either. Gen. Sen was not in the first batch of troops to land in Kashmir, so what he has to say is based on hearsay or at best second-hand sources. On the other hand, the first person account of Major E.H.B. Ferris, who was in the first aeroplane to land in Srinagar makes no mention of any Patiala troops either:

> At last the plane settled. We jumped out of the Dakota and for a moment we wondered what it was all about. Was it training or was it the real thing? It was not until we heard the sound of small arms and machine gun fire and saw one or to of our men wounded by bullets that ricocheted that we realized that we had run into it. We did not even have time to look around us before we were assembled together, jointly briefed and launched straight into battle.[2]

The complete absence of any reference to them even in the correspondence of Sardar Patel only adds to the mystery. For on 17 October, the very day when these troops are supposed to have arrived in Srinagar, the deputy prime minister, R.L. Batra wrote a long and plaintive letter to Patel complaining that nothing that the Indian government had promised had arrived, neither ammunition, nor aviation spirit, nor Bailey bridging equipment, nor wireless sets nor extra flights to move Kashmir's produce to the plains.[3] Is it possible that while complaining about such a total lack of support, he would have omitted to mention so important a reinforcement? When, only a week later Mahajan is so effusive in expressing his thanks for the

[1] Lamb, *Kashmir 1947: Birth of a Tragedy*, p. 96.
[2] Maurice Cohen, *Thunder Over Kashmir*, Orient Longmans, 1955, p. 4.
[3] *Patel's Correspondence*, op. cit., doc. 62.

dispatch of Sikh infantry,[4] could Batra have been so churlish? And, put on the defensive by his letter, would Patel not have reminded him that the Patiala troops had been sent? One is obliged to conclude that it was not only the British officers in the Indian Army who knew nothing about the Patiala troops. Even the Home Minister of India and the Deputy Prime Minister of Kashmir did not seem to have an inkling of their arrival. Other than the possibility that there was no Patiala infantry, the only other explanation is that Batra did not consider them worth mentioning because they had been in the state, and very probably in Srinagar itself, for many days before 17 October—so many days in fact that Batra took their presence for granted, and treated them as part of the Kashmir state forces. The only explanation that would fit this is that in July, when the Maharaja of Patiala visited Hari Singh, the latter obtained from him a promise to send troops to guard Jammu, so that Hari Singh could concentrate his forces closer to the border and in Kashmir itself.[5] These troops may well have come to the state before 15 August, when Patiala too was nominally autonomous. When the Maharaja obtained intelligence reports that Pathan tribesmen were gathering in the north directly opposite Kashmir, he must have ordered the Patiala troops to move to Srinagar. The troop movement may have been completed in the beginning of October, and not on the 17th. That would explain why no one in the Army headquarters in Delhi had any inkling of it.

The crucial point is that if this reconstruction is correct, then India did not send the Patiala troops. The Maharaja of Patiala sent them in his capacity as an independent ruler. Even if he stretched his mandate and sent them after 15 August, it would still be as a private individual sending his private army to defend the legitimate authority in Kashmir. The Patiala troops had not been formally inducted into the Indian army in September 1947.

But did Indian troops enter Kashmir on the morning of 27 October *before* the Instrument of Accession had actually been signed? Lamb's contention acquires plausibility because there has so far been a peculiar vagueness surrounding the date and time when the instrument

[4] Ibid., doc. 70.

[5] Lamb, *Birth of a Tragedy*, p. 131.

was signed in various Indian accounts. The Maharaja's letter accompanying the instrument of accession was dated 26 October 1947. Mountbatten's letter to him accepting his accession is dated the 27th. But in various Indian accounts, the letter, or a letter, of Accession is supposed to have been signed by the Maharaja on no less than three separate dates, and at four different times. In his memoirs, Mehr Chand Mahajan wrote that Ram Lal Batra, the deputy prime minister, carried a Letter of Accession with him when he flew down to Delhi on 24 October. However, in an appendix to the same book, describing his involvement with the Kashmir's accession to India, Mahajan changed the date to the 25th, and claimed that V.P. Menon brought the Instrument of Accession back with him on the 26th after his visit to Srinagar on the 25th night. V.P. Menon, however, has stated categorically that he took the Instrument of Accession to Jammu for the Maharaja to sign on the 26th morning and that the Maharaja signed it sometime during the middle of the day or in the early afternoon. However, the White Paper on Kashmir, issued by the Indian government in March 1948, says that the Maharaja signed the Instrument of Accession in Jammu, late at night on the 26th! These conflicting accounts could not fail to create the impression that the Indian government had something to hide. In his second book, Lamb has made the claim that documents in the India Office Records Library prove conclusively that Menon was lying when he wrote that he had flown to Jammu on the 26th to obtain the Maharaja's signature. They show that on the 26th at 3.45 p.m. he was still in Delhi, on his way to Jammu, and that at the airport, he was told that he could not proceed as he had left it too late, there being no night landing facilities at Jammu airport.[6] Lamb therefore asserts that V.P. Menon must have carried the Instrument with him when he went with Mahajan to Jammu on the 27th morning, and it was therefore signed well after the India troops landed in Srinagar.

[6] Lamb, *Birth of a Tragedy*, p. 96. Lamb does not give the reference to the file in which the document proving this is to be found. At the beginning of the book he says that precise references will be given in a revised edition of *The Disputed Legacy*, which he intends to bring out fairly soon. His purpose in withholding such an important reference is not apparent. The file in which the information is to be found is IOR L/P&S/13/1845b. Precise details of what it contains are given below.

My investigations have established that Menon most probably did not go to Jammu on 26 October, for at 3.30 p.m. that very day he was about to leave for Palam airport to fly to Jammu. In his summary of events between 25 and 27 October, Symon writes that he tried repeatedly to get hold of V.P. Menon on the 26th but to no avail. He was finally able to speak to him at 3.30. p.m. that afternoon. Menon told him that he could not see him then because he was leaving in 10 minutes for the airport to go to Kashmir. Apparently, because he was desperate to send Major Cranston to Kashmir on the same plane as V.P. Menon to supervise the evacuation of British civilians, Symon rushed to Palam airport to see Menon there. He found V.P. on the point of returning to Delhi. Menon said (this must have been around 4.30 p.m.) that he had left it too late to be able to fly to Kashmir (he probably meant Kashmir state)—obviously because of fog, the lack of night landing facilities at Jammu, or some other such technical hitch—and was leaving at 6.00 a.m. the following morning. Symon then saw him at 5.00 p.m.[7]

However, my investigations also show that Lamb's conclusion, that the Instrument must have been signed by the Maharaja on 27 October is unsustainable, and that Mahajan's revised version of events is the correct one. V.P. Menon did indeed bring down a signed Instrument of Accession with him when he flew down from Srinagar on the 26th morning. They show that the Maharaja signed it in his palace in Srinagar very late at night on the 25th or in the early hours of the 26th before leaving, at around 3.00 a.m. for Jammu with his family. They show that the Maharaja was even then reluctant to sign the letter, possibly because of some disagreement over its terms, and that Menon had to tell him repeatedly that if he did not do so, India would not be able to send troops to his aid. Having got the letter, Menon and the Army and Air force officers who had accompanied him flew back to Delhi in the early hours of the 26th. Menon gave the Instrument of Accession to Mountbatten at or just before the Defence Committee meeting on the 26th morning.

The source of this information is Field Marshall (then Colonel) 'Sam' Manekshaw, who was the Chief of Army Staff in 1971 during

[7] Loc. cit.

the Bangladesh war. Manekshaw was one of the two officers who accompanied V.P. Menon to Srinagar on 25 October, the other having been a Wing Commander Dewan of the Royal Indian Air Force. Manekshaw, whose full statement was recorded by me on 18 December 1994 (given in Appendix 1 to this book), was serving at the time in the Directorate of Military Planning. On the 25th, Sir Roy Bucher, the British chief of the Indian Army Staff, looked into his room and told him to be ready to accompany V.P. Menon immediately to Srinagar. In Srinagar, which they reached in the late afternoon or early evening, V.P. and he went first to see Mahajan who, Manekshaw confirms, was in a highly agitated state. After getting an extensive briefing from him on the situation in the state, and in the Maharaja's forces, Menon and Manekshaw proceeded to the palace where bedlam reigned. Cars were drawn up in the courtyard, goods of all description were in various stages of being packed, and the Maharaja was in a nearly demented state of mind. Manekshaw was present when Menon advised the Maharaja to accede immediately to the Indian Union, and told him repeatedly that if he did not do so, India would not be able to send troops to Kashmir. Manekshaw was not physically present at the moment when the Maharaja signed the instrument, for he was meeting various officers of the state forces who had been summoned to meet him in order to give him an appreciation of the military situation. However, he remembers Menon coming out of the Maharaja's rooms to tell him, 'Sam, we have got it'. He was also present the next morning and saw Menon hand over the Instrument of Accession to Mountbatten.[8]

[8] Manekshaw's integrity is too well known for his account to be questioned. However, for the record it is necessary to relate the circumstances in which I learnt that he was the army officer who had accompanied Menon to Srinagar (the extant records of that time do not give any names). As far as I was able to assess, the Field Marshall, who is now 83 and lives in Coorg, 2500 kms from Delhi, and has not had anything to do with the Indian government for years, was, and still is unaware of the controversy that surrounds the date on which the Instrument of Accession was signed. I happened to mention this controversy to his daughter, Maja Daruvala, who works with the Ford Foundation in Delhi, one day early in November 1994. Ms Daruvala's immediate response was 'but of course it was signed. It was signed late in the night in Srinagar'. Asked for the basis of her statement, she said, 'I heard my father talk about it many times when we were children'. When I asked her how he

Manekshaw's account raises a number of questions. If Menon brought the signed letter of Accession with him when he returned from Srinagar, why did conceal this, to the point of lying, in a book written more than eight years later? Secondly, the impression one gets from Hodson's very detailed account of what happened at the Defence Committee's meeting on the 26th morning is that the decision to secure Kashmir's accession had not been taken on the 25th morning when the government decided to send Menon to Kashmir, and was not taken until the very end of the meeting on the 26th morning. If Mountbatten already had the letter of accession with him on the 26th morning why did he not tell the Defence Committee? Third, if the letter of Accession had already been obtained, then what was Menon trying to take back with him to Jammu on the evening of 26 October?

The answer to all the three questions is to be found in the sharp difference of opinion that existed between Pandit Nehru and Sardar Patel on the way that Kashmir should be handled: till the very end, when the tribesmen were on the brink of entering Srinagar, Pandit Nehru was against accepting the Maharaja's accession without first obtaining an explicit commitment to bring Sheikh Abdullah into the government. Patel, on the other hand, was. As a result, throughout the three-month period before the invasion of Kashmir by the tribesmen, the Indian government followed a two-track policy towards Kashmir, in which the right hand very often did not know what the left was doing. Every facet of the strange, often inexplicable, behaviour of the Indian government, the lack of any communication whatever between the Congress and the Maharaja before the beginning of July, the cautious approach by Patel, which might very well have been made without Nehru's knowledge; the Indian government's inexplicable reluctance, in the light of Patel's overtures, to sign a standstill agreement with the Maharaja after independence; Patel's initial promise

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knew, she said, 'because he was there when it was signed'. I asked her to telephone her father in Coorg and confirm this, and also to get as many details as possible. She telephoned me the following morning to say that she had done so. I then telephoned Field Marshall Manekshaw and asked him if I could come down to interview him. He said that there was no need as he planned to visit his daughter in Delhi in December. The interview with him was on 18 December at the Oberoi Hotel, New Delhi.

and then the government's failure to send any worthwhile quantity of arms and essential supplies to him, to meet the threat from Pakistan; and Nehru's brusque rejection of the Maharaja's offer of accession via Mahajan in September. All this seesawing becomes comprehensible when one sees it as the product of the struggle within the Congress leadership. This was a struggle not over whether, but on what terms, Kashmir should accede to India. This internal struggle also makes it possible to reconstruct and make sense of the events of the four crucial days, from October 24 to 27, that forged the mould in which Indo–Pak. relations were to be set for the next half century.

Mahajan has reported in his memoirs that he and the Maharaja flew back from Jammu to Srinagar on 23 October to be met with news that conveyed the full gravity of the tribesmen's invasion. The first thing the Maharaja did was to send the Chief of the state forces to personally take charge of the Uri–Baramulla road.[9] He and Mahajan then decided to ask India for help. On the 24th the Maharaja sent the deputy prime minister, Ram Lal Batra to Delhi with a Letter of Accession and letters addressed to Pandit Jawaharlal Nehru and Sardar Patel.[10] Lamb has accepted Mahjan's statement about the letter, but since no mention was made of it in the Defence Committee meeting on the 25th, he concluded that Batra did not hand it over to the Indian government. In view of what Manekshaw has stated, one must ask whether Mahajan had firsthand knowledge that the letter had been sent or simply inferred it from the fact that a letter of accession was produced before the Defence Committee on the 26th.[11] His later correction of his account strongly suggests the latter. One must therefore conclude that Batra did not carry a letter of accession down with him on the 24th.

However, it is inconceivable that at such a critical moment, Batra carried no letter at all, and simply flew down with an oral message from the Maharaja. He must have carried some written communication with him to either Nehru or Patel or both, and it must be this letter that Mahajan mistook for letter of accession. One can only speculate

[9] Karan Singh, op. cit., p. 56.
[10] Mahajan, op. cit., p. 150.
[11] Alan Campbell-Johnson, *Mission with Mountbatten*, p. 224.

on its contents, but in view of the fact that the Maharaja had already offered his accession to India five weeks earlier, and then fulfilled the preconditions that Nehru had laid down to Mahajan while rejecting it, this letter probably reminded Nehru of the Maharaja's subsequent attempt to meet his conditions, reiterated his decision to accede to India, and asked India for help in repelling the raiders, on the assurance that he would meet Nehru's requirement of internal reform after peace had been restored. Since this letter has not survived, one can only infer its existence. But whether the message was delivered in this way or orally, there can be little doubt that the response that Batra received from Nehru was not what he had expected, and was extremely disturbing. There is no direct evidence of this, but after getting to Delhi, Batra had telephoned A.C.B. Symon, the British Deputy High Commissioner and said that he would like to call on him that evening. He did not however turn up, and did not telephone to make his excuses, a sure sign that he was in a disturbed frame of mind. The next day he dropped in to see Symon unannounced, on the pretext that he wanted to discuss the evacuation of British civilians from Kashmir valley.[12] He did not offer any apologies then either or give any explanation. This suggests that whatever held him up, was not something trivial or something he felt he could discuss with the British. Considering the full report that he gave Symon on the 25th on every other aspect of the Kashmir crisis,[13] it is very likely that what made him change his plans was a dispute over the contents of the Maharaja's letter or message to Nehru.[14]

What went wrong on the evening of 24 October is not difficult to surmise. Judging from what had already happened between Nehru and Mahajan in September, and what Nehru was to tell Mahajan at his house two days later, in spite of all that the Maharaja had done to make peace with Abdullah, Nehru remained dissatisfied, and prob-

[12] Despatch from A.C.B. Symon to the CRO, dated 28 Oct., sent by diplomatic bag, IOR L/P&S/13/1845b.

[13] Ibid.

[14] The fact that there were serious disputes also explains why 'Batra's news', as Lamb calls it, was not formally communicated to the Defence Committee till the following morning despite the seriousness of the situation and the obvious need for the utmost expedition.

ably expressed reluctance to go to Kashmir's aid if the Maharaja d not first induct Abdullah into the government. Be that as it may, wh Nehru met Mountbatten at a dinner he was hosting for the Forei Minister of Siam, he told the governor-general about the large-sca invasion of tribesmen, but made no mention of any letter of Acce sion.[15] Nor, judging from Hodson's account, was there any mentio of such a letter the following morning at the Defence Committe meeting, when the decision was taken to send arms to Kashmir, and to send Menon to discuss various possibilities with the Maharaja, including a temporary accession to India.[16]

Menon went to Srinagar the same afternoon with Manekshaw and Dewan, and perhaps one other army officer,[17] to assess the military situation. On arriving in Srinagar he went straight to Mahajan's house. Mahajan apparently asked him whether India was sending help, and on getting a completely evasive reply from Menon, lost his cool. (Menon described him as having become obsessed with local issues.) Mahajan reminded him that 'We had sent our deputy prime

[15] Hodson, op. cit., p. 445.

[16] Lamb's account of the deliberations on 25 and 26 October is cursory. He says Menon was sent 'at once to investigate, which he did (*Disputed Legacy*, p. 135)'. The implication is that no decision was taken to send military assistance to Kashmir. In fact, arms requested over the previous month by Kashmir and promised but not sent were to be sent immediately. V.P. Menon went up with a senior officer of the Indian Army (then Col. Manekshaw), and one of the Air Force (Sq. Ldr Dewan) to assess whether this would suffice. The despatch of officers and readying of arms was first reported to London by the UK High Commission at 2.30 a.m. on 27 October (IORL L/P&S/13/1845b). Hodson describes the intense discussion of the advisability of securing the Maharaja's provisional accession that took place in the cabinet. He says that the idea was mooted by Mountbatten, but that the Indian cabinet (this probably means Nehru) at this stage had no enthusiasm for the accession of Kashmir. 'Nor did they think Accession necessary for the sending of aid to protect the State and resore Law and Order.' Hodson also writes that after a decision had been taken to fly in arms to Kashmir, 'Pandit Nehru then raised the question of the future policy of the Government of India towards Kashmir. Events might overwhelm them by their swiftness if no action was taken . . . the only way in which the Maharaja's government could save the situation was by complete cooperation with the National Conference and Sheikh Abdullah. This was the first essential step . . .' (op. cit., p. 449).

[17] See previous note. Symon could have been misinformed that there were two army officers.

minister with a letter of accession'. Menon apparently did not deny this but told him that without his presence in Delhi, even military aid was not a certainty.[18] After Mahajan had agreed to accompany Menon to Delhi, Menon and Manekshaw went to the palace where, after protracted persuasion, Menon got the Maharaja to sign the Instrument of Accession.[19]

However, in doing this Menon was not, apparently, following Nehru's but Patel's instructions. A close reading of Hodson's account of the first meeting of the Defence Committee on the 25th morning, suggests that while Mountbatten was urging the government to get the accession first before sending in troops, it was none other than Nehru who, while urging the despatch of troops, was resisting Kashmir's immediate accession to India. Although no record has been left of what Patel actually told Menon to do, it seems all too likely that even while the Defence Committee of the Cabinet was debating whether or not to ask for, and whether or not to accept, the Maharaja's accession, Patel had come to the conclusion that it was simply too dangerous not to do so. Realist that he was, Patel was no doubt impressed by Mountbatten's insistence that getting the Maharaja to acede to India before sending troops to Kashmir was the only way of avoiding a war with Pakistan. He therefore gave Menon secret instructions to get hold of the Instrument, on whatever terms the Maharaja was prepared to accept. Manekshaw's account of the Maharaja's reluctance to sign, and Menon's prolonged cajoling, suggests that Menon did try first to get him to commit himself to bringing Sheikh Abdullah into the government, but failed. He therefore took the Maharaja's signature on the Instrument of Accession, and urged him to leave for Jammu that very night.

When Menon, Manekshaw, and Mahajan arrived in Delhi the next morning, while Mahajan headed for Nehru's house, Manekshaw and Menon went to their respective homes for a bath and breakfast, and met once more before the Defence Committee meeting at around

[18] Hodson has described fully the protracted debate in the Defence Committee of the Cabinet, and the anxieties expressed by several of its members. Op. cit., pp. 449–55.

[19] *See* Manekshaw's statement, App. 1, for details.

9.00 a.m. There, in Manekshaw's presence, Menon handed over t
signed Instrument of Accession to the Governor-General.[20] But sin
Hari Singh had still not committed himself to bringing Sheik
Abdullah in, Mountbatten, who must by then have been told by Pat
of what he had done, and may well have been in this conspiracy t
deceive Nehru if the need arose, did not present it immediately to th
Defence Committee.

That Nehru was no part of this fall-back plan is apparent from
Mahajan's account of what happened when he went to Delhi with
Menon on the 26th morning. On arriving at Palam at 8.00 a.m. he
went straight to Nehrus' house. At this point in time Mahajan, who
had apparently not accompanied Menon and Manekshaw to the
palace, and therefore may not have known that the Instrument of
Accession (as distinct from the letter probably sent with Batra) had
been signed, still tried to get Nehru to accept the accession without the
precondition that Abdullah should be brought in at the head of a
popular government. Nehru, however, was still not inclined to agree.
He said that it was not easy to move troops at such short notice.
According to Mahajan, he said that even if Srinagar was taken by
the tribesmen, India was strong enough to retake it. That is when

[20] Manekshaw's account is absolutely explicit on this point. On direct questions from me, he said that he had not been in the room with Menon and the Maharaja at the precise moment when the Maharaja signed the Instrument of Accession, but had been present and had therefore seen Menon hand it over to Mountbatten at the Defence Committee meeting the following morning. Manekshaw also remembers the precise moment when the Maharaja signed the Instrument, because Menon came out of the meeting to where Manekshaw was talking to officers of the state forces, gathering information on the movements of the raiders, their strength, and probable speed of advance, and said, 'We've got it, Sam, we've got it'. *See* Field Marshal Manekshaw's deposition, App. 1.

Manekshaw says, however, that the Defence Committee met at 9.00 a.m. and that Menon handed over the Instrument at the meeting. Actually, the Defence Committee met at 10.00 a.m., so either Manekshaw no longer remembers the precise time, or the Instrument was handed over to Mountbatten before the meeting. Rather than put suggestions to the Field Marshall that might make him revise his statement, I preferred to let the ambiguity stand. It is perhaps too much to expect someone to remember the precise time of an event almost half a century after it took place.

Mahajan lost his temper and threatened to go to Lahore to see Jinnah.[21] Mahajan had reason not to trust the promises of military help given by high-ups in the Government of India, as Batra's letter of 17 October has made clear.[22]

As to what Menon was trying so hard to take back to Jammu on the 26th afternoon, the best guess is that it was a revised letter accompanying the Instrument of Accession, in which the Maharaja explicitly committed himself to bringing Sheikh Abdullah into his interim government. The letter that was released to the press on 27 October makes it clear that the Instrument of Accession was a separate document. Either Menon had brought down a letter from Srinagar that did not contain the commitment that Nehru was set upon or, what is more likely, Menon brought no accompanying letter with him. In either case, to satisfy Nehru, Menon was probably trying to take a Letter of Accession drafted by him in Delhi, and containing an explicit

[21] Mahajan apologized for this loss of temper in a letter to Patel the next day. (*Patel's Correspondence*, vol. 1, doc. no. 70).

Lamb again misreads the Maharaja's reluctance to hand over power to Sheikh Abdullah for a reluctance even at this late stage to accede to India. 'Mahajan', Lamb says, 'begged for help, but, it would seem, without promising accession, and certainly without committing the state to constitutional reforms' (p. 135). What Mahajan actually reported that he said was, 'Take the accession and give whatever power you desire to the popular party. The Army must fly to Srinagar this evening or else I will go to Lahore and negotiate with Mr Jinnah.' The second part of the first sentence is the key element. As in the case of letter supposedly brought down by Batra, Lamb thought the Maharaja was baulking at accession when for more than six weeks he had been baulking at handling over power to Sheikh Abdullah.

[22] Abdullah's account of Nehru's encounter with Mahajan tallies closely with latter's. He states that Mahajan came carrying the Instrument of Accession with him. During the discussions he insisted that troops be sent immediately. If they were not, he would go straight to Mr Jinnah to see what deal he could work out with him for the protection of the state and the royal family. That made Nehru lose his temper, and Sardar Patel had to step in. Abdullah's remark about the Instrument of Accession is interesting. It is possible that since he was sitting in an adjoining bedroom he may have misinterpreted Mahajan's statement 'Take the accession and give whatever power you desire to the popular party', as an indication that Mahajan was actually handing over a letter to Nehru. But if one rules out such dramatics, it too seems to be an inference drawn from subsequent knowledge that the Instrument was signed by the Maharaja in Srinagar the previous night.

commitment by the Maharaja to instal Sheikh Abdullah, for the Maharaja to sign. That was probably the letter signed by the Maharaja on the 27th, but passed off as having been sent by him on 26 October. To that extent Lamb's surmise that the Letter of Accession was concocted by Menon may be well founded. But the intention behind all this subterfuge was not to befool the rest of the world's eyes—one doubts whether the leaders of the government had the time to worry about such niceties—but to pull the wool over Nehru's eyes!

Manekshaw's deposition clears three other minor mysteries that have surrounded the signing of the Instrument of Accession. Firstly, Mahajan has written that sometime in the late afternoon, or early evening of the 26th, he was called on the phone and told to accompany Menon to Jammu, which he refused to do. Later he was rung up again and told that it did not matter and that he could go the next morning. Since no one knew what to make of these calls, they have been ignored. It would now seem that Menon wanted Mahajan to travel with him. The first occasion must therefore have been around 3.00 in the afternoon when Menon embarked on his abortive trip to Delhi. The second call must have been made after he failed and decided to go the next morning.

The second is Alan Campbell-Johnson's record in his diary that Menon submitted a Letter of Accession to the Defence Committee later that day, i.e. the 26th.[23] The only letter that Mountbatten could have submitted was the one brought down by Menon from Srinagar.

The third is Menon's readiness to humour Mahajan and change the time of departure for Jammu on 27 October from 6.00 a.m., the time he mentioned to Symon, to after Mahajan had confirmed that Indian troops had landed in Srinagar. He knew that since the Instrument of Accession was already with the Government of India, nothing would be lost by a three hour delay in going to Jammu on the 27th.

[23] Stated explicitly by Alan Campbell-Johnson, op. cit., p. 224. Campbell-Johnson told me on 9 October 1994, that while he was still on his way back from London on the 26th, in the early hours of the 28th, hours after his return, he had been called to a briefing meeting for his personal staff by the Governor-General, at which Mountbatten had given them a precise account of what had happened till then. The presentation of the letter was mentioned during this briefing, but he had no idea what the letter itself contained.

Lamb's fuss about the precise manner and timing of the Accession, seems to be somewhat of a storm in a teacup. Whatever may have preceded the presentation of the Instrument or letter of Accession to the Defence Committee on the 26th, what is clear beyond doubt is, firstly, that on the evening of the 26th, the Defence Committee and Cabinet formally accepted Kashmir's accession to India,[24] subject to the proviso that the wishes of the people would be ascertained when peace was restored. Secondly, that there was no need whatever for a cover up of the kind that Lamb has ascribed to the Indian cabinet, Lord Mountbatten, and his entire personal staff, and by acquiescence, to the British Government, for at no stage on the 25th or 26th was it considered juridically necessary for India to accept Kashmir's accession before providing assistance. More than one member of the Defence Committee, including, in all probability, Nehru himself, had argued against accepting it, but all agreed that Kashmir's request for armed assistance should be conceded immediately.[25] As will be narrated below, this was emphatically the British government's view too. London felt that India's best course would have been to send its troops but without accepting the Accession. Thus, other than a heightened risk of war with Pakistan, nothing would have changed if the Instrument had indeed been signed on 27 October rather than on 25/26 October.

[24] Hodson, op. cit., p. 455.

[25] Ibid., pp. 449–50. Even Pandit Nehru was of the view that intervention after accession could lead to greater complications, but was absolutely unequivocal in insisting that Kashmir must be sent armed assistance.

5

The Gurdaspur Award

The detailed account given above, of the circumstances in which Kashmir acceded to the Indian Union, shows that it resulted from Maharaja Hari Singh's inability to remain independent; his aversion to acceding to Pakistan, which grew markedly stronger as he witnessed the consequences of the Muslim League's 'Direct Action' programme on communal relations in various parts of British India; and the conspiracy, or to be more precise, the series of overlapping conspiracies hatched by Pakistan to annex Kashmir, which resulted in the Pathan tribal invasion of the state. However, the Pathan invasion would not have taken place, in fact would not have been necessary, if Britain had not first given Kashmir a viable land connection to India by awarding three *tehsils* of Gurdaspur district, which included the railhead at Pathankot, to India, despite their small Muslim majority. This gave the Maharaja an option that was not open to him before 15 August 1947. It was inevitable, therefore, that Pakistan would condemn the Gurdaspur award and describe it as a premeditated fraud perpetrated by the British in collusion with the Congress, on the soon-to-be-born Dominion of Pakistan, with the express purpose of making it possible for Kashmir to accede to India.

But the Gurdaspur award was given by the Punjab Boundary Commission headed by Sir Cyril Radcliffe. The Commission was independent, and every effort was made to ensure this. What is more, when it became apparent that the Muslim and non-Muslim commissioners would support the petitions put forward by the Muslim League, the Congress, and the Akalis, Sir Cyril decided to disregard their advice and determine the awards on his own. So to show that the

Gurdaspur award was rigged one had, in effect, to show that Sir Cyril was influenced, to the point of being overruled, into departing from the basic principle guiding the award, that contiguous Muslim majority areas in Punjab should go to Pakistan, the non-Muslim ones going to India. Only someone with enormous ascendancy and political influence could have done that. That person could only have been Mountbatten, the Viceroy of India, acting either on his own or, as Lamb suggests,[1] at the behest of the British government. Lamb's method of showing that Mountbatten had indeed influenced Sir Cyril to the point where he departed from the basic terms of reference of the Punjab Boundary Commission, and gave Muslim majority areas to India, was to show that Mountbatten had done precisely that to ensure that the Ferozepur and Zira *tehsils* of Punjab also came to India despite their Muslim majority. If he could do that in one area why, Lamb invites the reader to ask, could he not do so in another?

Such arguments are by inference weak at the best of times. It is particularly so now. Even a cursory reading of the submissions to the Commission would show that whatever the reasons that prompted Sir Cyril to award the Ferozepur and Zira *tehsils* of Ferozepur district to India, they had nothing in common with those for awarding three *tehsils* in Gurdaspur to India. Despite this, Lamb's allegation needs to be examined in detail. For the allegation against Mountbatten on the Ferozepur and Zira *tehsils* shares one feature in common with the allegation that he engineered Kashmir's accession to India two and a half months later—both were supposedly products of his susceptibility to advice received from Pandit Jawaharlal Nehru.

The origin of the charge against Mountbatten, easily the most serious slur on his integrity that he ever suffered, lies in the actions of Sir Francis Mudie, the first Governor of post-Partition West Punjab. Mudie, a former governor of the United Provinces, who was renowned in the Civil Service for his visceral dislike of the Congress party,[2] turned over to Jinnah some documents that had been left behind in his safe by Sir Evan Jenkins, the last Governor of United Punjab. These con-

[1] In his 1991 book, *Kashmir: A Disputed Legacy*. This allegation is softpedalled but not withdrawn in his 1994 book, *Birth of a Tragedy*.

[2] Sir Alan Campbell-Johnson, in conversations with me, Sept. 1994.

tained a map and some notes that showed that the proposed boundary between India and Pakistan placed Ferozepur and Zira *tehsils* in Pakistan. Yet when the Boundary Commission's award was made public, these *tehsils* were a part of India. It turned out that a draft of the Punjab award was ready on 8 August, and was communicated to the Punjab Governor, E. Jenkins, by George Abell, private secretary to the Viceroy, in the form of a line on a map. That line showed that the salient consisting of Ferozepur and Zira *tehsils* of Ferozepur district was to be included in Pakistan while the three *tehsils* in Gurdaspur were to be part of India. Jenkins later recorded that on the 10th or 11th, to his surprise, he received a secraphone message from the Viceroy's house saying, 'eliminate salient'.[3] Jenkins was believed to have inadvertently left the papers behind for his successor to find, but the truth was a little different. On the night that the secraphone message arrived, Mudie was staying with Jenkins in Lahore so Jenkins discussed the probable law and order fallout of the boundary demarcation with him. When Jenkins was relinquishing charge a few days later, his private secretary, who was burning all the secret papers of the old regime asked him what he should do with the message and map from Abell. Since Mudie had already seen it and knew of its contents, Jenkins asked him to leave it for his successor, in the expectation that Mudie would respect the instructions that had been given to all governors that the papers of the old regime should be destroyed.[4] Mudie did not however do so, and handed them over, instead to Jinnah. They were made public in a searing attack on Mountbatten by Sir Mohammed Zafrullah Khan at the UN in January 1948.

In his 1991 book, Lamb quotes a conversation between Radcliffe and his commissioners overheard by some unnamed person, in which the former is reported to have said that the award of Ferozepur and Zira was a compensation for awarding the three *tehsils* of Gurdaspur to India. This was reported by someone else to Nehru who reported it to Mountbatten. Lamb sees in this an attempt by Nehru to influence Mountbatten to influence Radcliffe, not to award these two *tehsils* to Pakistan.[5] Mountbatten, Lamb believes, did not forward Nehru's

[3] Lamb, op. cit., p. 122–13.

[4] Jenkins' letter to Mountbatten, IOR/L/P&J/10/119.

[5] Lamb, op. cit., p. 113.

memorandum to Sir Cyril, but did in fact intervene to get the award changed at the last minute.

Despite the passage of nearly half a century, the controversy over Abell's letter to Jenkins, and the map that accompanied it, has still not died down. A close examination of the correspondence on this subject, suggests that contrary to his own protestations at the time, Mountbatten may have advised Sir Cyril to 'eliminate the salient'. But it is more than likely that it was Sir Cyril who decided to consult Mountbatten and not the other way about, and that in the end, the award was Sir Cyril's and Sir Cyril's alone.

Abell's letter[6] was designed to give early warning to the Punjab government so that it could make arrangements to maintain law and order in the areas most immediately affected by the award. Abell had sent the information in response to a request from Jenkins' private secretary, Abbott. He had obtained the rough alignment from Christopher Beaumont, private secretary to Radcliffe, and sent it on to Jenkins' secretary. Such communications were common, and were usually carried on 'at staff level'. Jenkins apparently forgot that he was seeking information about an international border and not about an internal problem of a province of which he was the governor.[7]

While in the changed circumstances, Jenkins' request may have been improper, it is difficult to infer from the subsequent change of boundary, that there was a conspiracy to defraud Pakistan. The more straightforward interpretation is that Beaumont gave Abell an idea of where the boundary might run, but with the warning that it was not final, and that Radcliffe then made a change that Beaumont felt necessary to communicate to Abell. Lord Radcliffe himself told Dr Kirpal Singh, a distinguished scholar, in 1964 that he had drawn several lines to determine the boundary, and that one of these had been communicated to Lahore, but that it was not the final version.[8] The intention all along was to maintain law and order, by no means a dishonourable one.

That this was indeed Jenkins' overriding concern becomes apparent

[6] ToP documents, vol. XII, no. 377 ff.

[7] India Office Records, IOR/L/PFJ/119, doc. no. 236.

[8] Dr Kirpal Singh, *Select Documents on Partition of Punjab—1947*, National Bookshop, Delhi, 1991, p. xxvi.

from his exposition of the problem that the Punjab administrations would face immediately after Partition. Writing to Mountbatten on 7 April 1948, in response to a letter from him dated 19 March 1948, Jenkins explained, 'If the award did not follow district boundaries, it would inevitably leave certain areas "in the air", severed from their old districts and not yet absorbed by their new ones'. Jenkins asked for 'such advance information as could be given to me of the award so that the civil and military authorities could, if necessary, redistribute their forces'.[9]

In a letter Mountbatten wrote to Lord Ismay on 2 April 1948, he said that Abell had written to Jenkins' secretary without his knowledge. But this was apparently not true. In his letter to Mountbatten, written five days later, Jenkins said, 'Abell says the question of giving me [Jenkins] advance information was raised several times at your morning meetings and that you approved the information be given'.[10]

More doubts have been raised about Mountbatten's truthfulness by a testamentary deposit made by Christopher Beaumont, in September 1989 with the Warden of All Souls, stating categorically that Mountbatten had indeed influenced Sir Cyril into eliminating the salient.[11] According to Beaumont, Abell must have shown Mountbatten the map or told him where the line was proposed to run (Abell confirmed this to Jenkins). Mountbatten became very agitated and 'had to be strenuously dissuaded from trying to persuade Radcliffe to alter his Punjab line'.[12] Beaumont says that on the 11th, or thereabouts, Radcliffe was invited to lunch by Lord Ismay, from which he was pointedly excluded (Beaumont claimed that this was the very first time that such a thing had happened). That night the boundary was changed and the salient was eliminated. Beaumont therefore drew the

[9] Letter to Mountbatten, 7 April 1948, IOR/L/P&J/10/119.

[10] Ibid.

[11] Beaumont first wanted it released only after his death but, in 1992, apparently changed his mind. A story was published in the *Telegraph* giving the gist of his revelations, and the document itself was deposited in the India Office Records Library. The text is given in App. III.

[12] Beaumont quoted an entry in the diary of John Christie, dated 11 August, which he apparently had seen, to this effect. Christie was an assistant private secretary to the Viceroy.

conclusion that Mountbatten had made Lord Ismay arrange the lunch in order to give him an opportunity of talking to Sir Cyril without being accused of trying to gerrymander the Award.

Beaumont is probably right in his surmise that the Boundary Award was discussed at this lunch, but Beaumont had no way of knowing whether the lunch had been arranged at Mountbatten's initiative or Radcliffe's. While the entry in Christie's diary suggests the former, Lord Radcliffe's own statement to the Secretary of State for Commonwealth Relations, Arthur Henderson, in 1948, suggests that it was he who took the initiative and he who made the final changes. When Zafrullah made his allegation, Henderson reported to Attlee in reply to a query from the prime minister,'He [Radcliffe] showed the first draft of the proposed award to the Authorities in Delhi and that, on further consideration, he made the award in terms that departed from the first draft'.[13]

Radcliffe would have been well within his rights to consult someone whom he could trust, and one he knew was not caught up in the passions that were convulsing the subcontinent. While sheer lack of time obliged the Commission to decide not to hear individual petitions, nothing in its terms of reference prevented Radcliffe from asking for comments or reactions from someone of the eminence and experience of Mountbatten—someone, moreover, who would have to live with the consequences of his Award. He may have felt this to be specially necessary, because Punjab was a powder keg, and in his opinion none of his commissioners had remained objective. If Mountbatten was untruthful in denying any knowledge of Abell's transmittal of the provisional award to Jenkins in his letter to Ismay in April 1948, he probably did so to prevent any further doubts being cast on the impartiality of the Award. When the decision that resulted uprooted approximately ten million people and killed half a million, it would have been folly, and indeed criminally irresponsible, for Radcliffe to make a virtue out of ignorance.

There would have been no need to say any more about it but for

[13] IOR/L/P&J/119. Quoted by Latif Ahmed Sherwani in *The Partition of India and Mountbatten*, Council for Pakistan Studies, Karachi, 1986, p. 178. Also quoted in a letter to Beaumont by A.G. Noorani, dated 9 April 1992.

two factors: firstly, Beaumont not only claims that Mountbatten influenced the award, but that Nehru influenced Mountbatten into pressurizing Radcliffe. A perusal of the testament shows that while he may have had some grounds for inferring the former, he had none for inferring the latter. Beaumont makes a bald accusation that the only Indian secretary to the Commission, one V.D. Iyer, was regularly supplying Nehru with information on the deliberations of the commission. The proof of this, according to him, 'was to be found at the Viceregal meeting on 12 August, when Nehru voiced alarm at the prospect of the Chittagong hill tracts going to Pakistan—which they were . . . the only way that Nehru could have known . . . was that Iyer told him'. Apart from the fact that it is distasteful to read a retired judge condemning a 'native' who is now dead and cannot defend himself, on what cannot even be called circumstantial evidence, Beaumont's 'facts', from which he draws this inference, are completely wrong. It was Sardar Patel and not Nehru who raised an outcry about the possibility of the Chittagong hill tracts going to Pakistan, and he did so in letter on 13 August. Patel said specifically that he had met a deputation from the area who had expressed their grave fear that this area was to be included in Pakistan.[14] If Nehru raised this issue on that or even the previous day, the obvious inference is that the delegation had met him too.

So far as the Gurdaspur award was concerned, in the same breath as he condemns Nehru and Mountbatten, not to mention Iyer, Beaumont states that 'No change, as has been subsequently rumoured, was made in the northern [Gurdaspur] part of the line; nor in the Bengal line.' So far as Pakistan's charge of fraud for the purposes of giving Kashmir the option of acceding to India is concerned, Beaumont's letter is the *coup de grace.*

There were any number of very good reasons for the inclusion of the three *tehsils* in India. Firstly, as Jenkins' letter to Mountbatten, and for that matter, his request for advance information shows, far from there having been a general belief in the British administration that the border would follow the boundaries of districts, there was a widespread

[14] Hodson, op. cit., p. 350.

recognition that it would often depart from these.[15] Mountbatten had made this clear at a press conference on 4 June, when he announced the Partition Plan. Nor was he saying this off the cuff. The terms of reference of the Boundary Commission had stated that it would 'demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so it will also take into acount other factors.' When he saw this, Mountbatten sent a query to the Secretary of State for India, Lord Listowell, asking what 'other factors' might mean. Listowell, who had succeeded Pethick-Lawrence as Secretary of State for India, replied that these were entirely for the Punjab Boundary Commissioners to decide. However, he said, 'other factors must include the location of Sikh shrines'.[16] This looks very much like a directive to the Radcliffe Commission. Sir Cyril certainly paid heed to it, but not unduly at Pakistan's expense. The reason why Gurdaspur was never intended for Pakistan was that had it been made part of west Punjab, Amritsar, the Sikh holy city, would have been completely surrounded by Pakistan.[17] Radcliffe was giving Nankana Sahib in Sheikhupura district, the birthplace of Guru Nanak, and the second holiest shrine of the Sikhs, to Pakistan, as well as Lahore which contained Gurdwara Shahidganj, and four other important shrines related to Gurus Arjun Dev and Ram Das. He could hardly have cut Amritsar off too. If that was not to happen, Gurdaspur was the obvious choice, for it contained two other important shrines, Dera Baba Nanak and Sri Gobindpur. This, more than anything else, probably persuaded the Boundary Commission to decide from the outset that these *tehsils* must come to east Punjab. It was therefore the Sikh

[15] Lamb's remark in a footnote to Chapter VI of his book, *A Disputed Legacy* (no. 31) that there was a general assumption that the Award would be on the basis of districts, is utterly without foundation.

[16] ToP Documents, op. cit., vol. XI, no. 415.

[17] Kirpal Singh, op. cit., p. xxiv. The memorandum submitted by the Muslim League admitted this in its para 16, but pointed out that two *tehsils* in Gurgaon district, Nuh and Ferozepur Jhirka with Muslim majorities, would be left behind in east Punjab so the one offset the other. The Commission obviously did not think Nuh and Ferozepur Jhirka were of an importance commensurate with Amritsar!

factor and not some conspiracy to seize Kashmir, that led to the Gurdaspur award. Nor was the principle of giving contiguous Muslim and non-Muslim areas to the respective dominions always followed scrupulously. The Chittagong hill tracts had a small Muslim population, but was given nonetheless to Pakistan because 'the whole economic life of the people depended upon East Bengal. The great majority of the population, moreover, the governor of Bengal explained in advice to the Viceroy, were tribals. So while they were not Muslims they were not Hindus either.'[18]

[18] Hodson, op. cit., p. 350. The Bengal governor's 'advice to the viceroy' raises some interesting questions. It obviously was meant for the Radcliffe Commission. So British governors were allowed to advise and 'influence' the Commission. Then why not the Viceroy? Secondly, and perhaps not coincidentally, the Governor's attempt to distinguish between different kinds of non-Muslims, happens to fall exactly in line with the submission to the Punjab Boundary Commission by the Muslim League. In enumerating the population of the province, the League differentiated between Muslims, Hindus, and Christians, on the grounds that while the last were not Muslims, they were not Hindus either. This argument, which overlooked the fact that only the Muslims had asked for a separate nation, seems to have, nevertheless, made some dent in the Commission's thinking.

Ironically, the Chittagong hill tracts have been sticking like a bone, first in Pakistan's throat and then Bangladesh's, ever since. So much for the sagacity of British governors.

6
A Grand Design?

Lamb's explanation for the various subterfuges that he insists Mountbatten and the British government adopted to ensure that Kashmir went to India, rests in the final analysis on his belief that there was a British strategic purpose in this part of the world, and that in their considered judgement India could assist much more effectively than Pakistan. That purpose was the monitoring of Soviet activities in Central Asia and checking Soviet expansionism in a southerly direction. For this, keeping tabs on Sinkiang was essential, and this could be done only from the northernmost parts of Kashmir, i.e. Gilgit and Hunza. But the records of the period conclusively show that Lamb is quite wrong both in his assessment of British strategic interests and the place Britain had assigned to India in safeguarding them. Far from wanting India as a possible ally in securing their strategic interests, the British had assigned this role to Pakistan (if it was to come into being) ever since 1940. This was a crucial element in their attitude towards the Muslim League, towards the Khudai Khidmatgar government in the North-West Frontier Province, and inevitably, towards Kashmir.

No one would deny that in the early thirties, British strategists had a lively interest in keeping a close weather eye on Sinkiang. The old Czarist Russian empire had been swept away by the Bolsheviks a decade and a half earlier, and the USSR had the makings of a stronger and more dangerous adversary in Central Asia. Sinkiang, and a narrow strip of Afghanistan, were all that separated the Soviet Union from British India (in the wider sense of that term). Sinkiang, then barely under the control of the Chinese government in Beijing, had become a hotbed of Soviet intrigue. Thus whether or not Sir Olaf Caroe really

had Vol. XIV. of Aitchisons's *Treaties*' replaced in order to use the threat of entering into bilateral agreements with Sinkiang to soften the Chinese, as they used their agreements with Tibet in 1914, this would certainly have been a plausible strategy.

However, Britain's interest in Sinkiang was but a pale shadow of it's obsession with Afghanistan. For although Afghanistan was in itself small, weak, and of little account, the Afghans were ethnically linked to the Pathans of the tribal area on the Indian side of the Durand line. And the Pathans were a constant source of concern, for at any one time there were 3,00,000 or more tribesmen who could pick up the gun and set out to raid the settled areas to the south. The Afghans had the capacity to incite the Pathan tribes, so if Afghanistan came under Soviet influence the USSR would get a powerful lever with which to destabilize the Indian empire.

All these fears are reflected in a memorable lecture that the Secretary of State for India, the Earl of Birkenhead, gave to the ninth meeting of the Imperial Defence Council on 26 October 1926:

> In the future, the North-East frontier, where it marches with China, may also come into prominence, but at present, it causes no anxiety. The potential enemy on the North-West frontier is of course, Afghanistan, acting alone or as the ally or instrument of Bolshevik Russia. The policy initiated by Peter the Great of penetrating to the warm water has not changed with changing forms of government—rather, so far as an advance towards India is concerned, it has received an added incentive from the desire to weaken the great obstacle to the extension of Bolshevik tents which is represented by the British Commonwealth of Nations. The fanatical and warlike inhabitants on and across the North-West Frontier of India form an ideal weapon for the purpose; the simple peasantry of India are a fertile soil for propaganda. . . . We have to be prepared to met Russian aggression towards India in a new and far more dangerous form. . . . Between the administrative boundary of India and the frontier of Afghanistan, known as the Durand line, lies a belt of the most difficult country inhabited by tribes that could put into the field some 3,00,000 first class fighting men, adequately armed. They have always formed the Afghans' most potent weapon against us. . . .

John Foster Dulles would have been proud to have given this speech. But the most significant part was yet to come:

Another point requires mention—namely, the new factor introduced by aircraft, bringing in its train the necessity for . . . some measure of anti-aircraft protection. At Kabul there is a small Russia-trained Afghan Air Force, not actually formidable or hereafter on its material side but with great possibilities for harm in its moral effect, on . . . the inflammable and fanatical Pathan. Further, the existence of landing grounds in Afghanistan gives to the Russians the power of placing considerable air forces at very short notice within striking distance of the plains of India. . . .[1]

More than anything else, it was this fundamental shift in the art of war that was to determine the fate of the subcontinent for the next seventy years. It led to a revival of the Palmerstonian Forward Policy with a vigour that no one could have predicted. For while with Imperial Russia the British had had diplomatic relations and a host of pressure points, with the Soviet Union they had virtually none,[2] and while Russia had been a month's hard march away, across a hostile, warlike country, the USSR was now a ston's throw away—a matter of a few hours at most by air. For the next twenty years, both these factors grew steadily stronger. After the war Britain was exhausted but the USSR seemed to have emerged vastly stronger. And the air force was now the lethal spearhead of modern warfare.

When the British made up their minds to leave India, the forward policy lost much of its relevance for the Britain as a nation, but none of its relevance for the Western democratic alliance against Communism, of which it now formed a part. In 1914, or for that matter 1938, Britain's goal was to protect its Indian empire. In 1947, the British still had strategic interests in South Asia, but these centred increasingly on the Indian Ocean. Prime Minister Attlee's letter of instructions to Mountbatten when he sent him to India,[3] which was based on a note prepared by the Defence Council of Britain for the cabinet early in 1946 on the strategic interests that would have to be safeguarded if power was transferred to the Indians, made this abundantly clear.

[1] Correspondence between the Viceroy of India and the Secretary of State for India. IOR/L/MSS Eur C/152/2, doc. no. 18.

[2] On 5 May 1926, the Viceroy had written to Birkenhead, '. . . Because London cannot bring pressure to bear on Moscow, British India feels more insecure . . .', Viceroy to SoS for India, ibid., doc. no. 15.

[3] Hodson, op. cit., App. 1, p. 546.

British strategic interests in 'the Indian ocean and neighbouring areas' would be served, the note said, if the treaty (with the successor government) allowed the British 'to move formations and units, particularly air units into India at short notice'. The note then recommended that the government should attempt to keep some British personnel on in India. Conceding that this was expected, the note however added a warning. 'If the demand for withdrawal were to include all British personnel, including those in the service of the Indian government, the fulfillment of our strategic requirements would be improbable.'[4]

Apart from indicating a shift of focus in Britain's strategic priorities, the note also made it clear that the Indian subcontinent would henceforth be important primarily as a base from which to guard their strategic interests. The Labour government believed that leaving behind a strong, united India, friendly to Britain, and willing to allow key British personnel to continue serving in the Indian armed forces, would be the best way of meeting this need. But when the Cabinet mission failed, and it became apparent over the next ten months that India could not be kept united, the British became apprehensive that in a divided India, where the two dominions were hostile to one another, safeguarding British strategic interest in this way would be far more difficult. In particular it felt that a Congress government in India might not prove amenable to the idea. This fear was by no means new. It had been the basis of Wavell's 'breakdown plan'[5] of 1945. Wavell had proposed that if an interim government could not be formed, the British should abandon the Congress-dominated provinces and move British government and personnel to the Muslim dominated ones in the north-east and north-west of the country. Wavell's plan was based on an implicit premise that was so generally accepted among British civil servants in India, that it seldom needed to be spelt out: if India had to be partitioned, and Britain was looking for a reliable ally on the subcontinent, Pakistan was more likely to meet that need. Wavell's plan had had the implicit (and possibly explicit) blessing of the Churchill government, but was initially turned down by the Labour

[4] ToP docs, vol. VIII, no. 254.

[5] ToP docs, vol. VIII, nos 286, 501.

Secretary of State for India, Lord Pethick-Lawrence because it meant implicitly conceding the demand for Pakistan.[6] However, when it became clear that India would have to be partitioned, the British government was left with no option but to fall back on a variant of that Plan. That variant required Britain to establish close military links with Pakistan. The reason for this was apparent. With the empire gone, Britain's interests in the neighbourhood centred around the protection of its sphere of influence from Egypt to Iran. That coincided with the incipient American desire to create a *cordon sanitaire* around the Soviet Union, which flowered into the pacts of encirclement signed by the USA in the early fifties. But the achievement of both these goals required bolstering Pakistan and absorbing Kashmir into that dominion. Kashmir was to have been the eastern end of a crescent that stretched from NATO to the roof of the Himalaya.[7]

Lamb's surmise that the British thought that after partition, India would better serve as a point of vantage in central Asia, is not backed by a single piece of documentary evidence, and goes against the grain of *realpolitik*, and history. Pakistan, not India was the new nation in the subcontinent. Pakistan not India, therefore, needed international recognition and acceptance. Pakistan, not India, therefore was by far the more likely to reach out to other nations and swap favours if this helped it to get acceptance and aid from the international community. Pakistan was therefore far more likely to serve as a 'reliable ally'. The events of the subsequent 45 years, from Pakistan's becoming a signatory of the Baghdad pact, to its willingness to allow the CIA to use the Peshawar airbase for its U2 espionage flights, and its ready

[6] Note: ToP documents.

[7] Wali Khan, the son of Khan Abdul Ghaffar Khan of the NWFP, and currently leader of the National Awami Party in Pakistan, has described the contents of correspondence in the India Office Records in London which reveal that one wing at least of the Foreign office in London was fully aware of the strategic problems that were likely to arise after the Second World War ended, and was advocating the creation of Pakistan to complete an Islamic shield to contain Soviet expansion in the future. 'They wanted to use Islam as a military crescent which stretched from Turkey to the Chinese border, and which could be strung around the neck of the USSR. *Facts are Facts: The Untold Story of India's Partition*, Vikas Publishing House, New Delhi, 1987, p. 56.

support of the US attempt to dislodge the Soviet Union from Afghanistan in exchange for military and economic aid, has proved this point over and over again.

As the Wavell Plan suggested, British strategists had a pretty fair inkling in 1946 and 1947 of where they had to put their money. During the 'twenties and 'thirties, the British had come to look upon the Congress as their adversaries in India and the Muslim League as their supporters. This attitude had a long history, dating from the partition of Bengal on communal lines by Lord Curzon in 1905, through the establishment of communal electorates in the Minto–Morley reforms and in all subsequent Acts that enlarged the areas of self-government by the Indians. Communal electorates forced people to think of themselves as Muslims and non-Muslims rather than as Sunnis or Shias, Brahmins or baniyas, which is how people habitually thought of themselves. This made the Muslim League's task of mobilizing the Muslim population in the name of Islam a good deal easier. The Muslim League did not, however, represent all the Muslims of India. Not only was there a sizable Muslim following for the Congress in the Hindu majority areas, but there was the Khudai Khidmatgar government in the North-West Frontier Province. Although not of immediate concern, there was also Sheikh Abdullah's National Conference in Kashmir, another area with an overwhelmingly Muslim population. Thus to achieve Pakistan, the Muslim League had to force open the communal divide further. They needed the British to help them in this, and till they made up their minds to pull out of India, the British never failed to oblige the League.[8] There

[8] Explaining the 'Churchill Plan' to the Viceroy, L.S. Amery, the Secretary of State for India wrote on 21 Feb. 1942,

If Indians have not themselves agreed upon the nature of the constituent body within 6 months of the end of the War, we will do so ourselves. I am also tempted to say that if they have not agreed to a constitution within two years of that date, we shall frame one ourselves to the best of our abilities. . . . The really difficult point is how to reconcile our pledge about agreement with the criticism that we are deliberately holding up all progress by giving a blackmailing veto to the minorities. . . .

On that my mind, which has always been working in the provincial direction, has not definitely turned towards the solution normally accepted in the dominions, . . . namely that if there are sufficient provinces who want to get together and form a dominion the dissident provinces should be free to stand out and either come in after a period of option, or be set up at the end of it, as a dominion of their own. Jinnah could not quarrel with that. Nor, on

had thus built up, over almost 40 years, a symbiotic relationship between the two, which was reinforced greatly when the Congress decided to boycott the war effort, while the Muslim League decided to cooperate, albeit with caveats.

The relationship between the British and 'the Muslims', by which the commentators of the times meant the westernized, middle class Muslims from whom the leaders of the Muslim League were drawn, was spelt out by no less exalted a personage than the Nizam of Hyderabad, who wrote to the Viceroy, Lord Wavell, 'the Muslim community of India has always been loyal to the British government, and stood by them at all critical times, and thus furnished that unflinching loyalty to . . . the British Throne, therefore in my opinion they deserve consideration at the hands of the British Crown . . .'.[9] The Wavell Plan was a product of this symbiosis.

Even after the Muslim League joined the interim government in October 1946, this symbiosis continued. It is reflected in a letter from Lord Pethick-Lawrence, Secretary of State for India, to Lord Wavell, the Viceroy, written on 13 November 1946, in which he allays Wavell's fear of a loss of control once elected governments come into the Centre and the provinces. Pethick-Lawrence says that while it is true that in the transfer of power, following the formation of an interim government in Delhi, the Viceroy would become almost like constitutional monarch, he would continue to wield considerable influence on the course of events. 'There is surely no doubt that in several provinces . . . the governors do in fact have valuable influence on the ministers . . . the same surely applies at the Centre *especially now that the Muslims have come in*'[10] (emphasis added). Pethick-

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the other hand could Congress feel that it is denied the opportunity of complete independence of that part of India which it controls.

In a subsequent letter written on 9 March, Amery says: '. . . we have safeguarded the Muslims over Pakistan' Letters to the Viceroy from SoS India, 21/2/1942 and 9.3.1942, IORL MSS Eur F/125/11). Herein lies the genesis of the Wavell Plan, and ultimately of Pakistan.

[9] ToP docs, vol. VIII, no. 292. Letter to Lord Wavell, dated 9 Sept. 1946. The Nizam, however went on to say that the partition of the country was no answer to the problem of succession. What was needed was Muslim representation in the administration of the country, i.e. a genuine sharing of power.

[10] ToP docs, vol. IX, no. 34.

Lawrence would not fail to have been impressed by a letter written to him by P.J. Griffiths, a former ICS officer who was, at the time of his visit to India towards the end of 1946, the head of the European Association in Bengal and therefore one of the most influential Britishers on the subcontinent. Griffiths had urged Pethick-Lawrence to 'accept partition as the base' of plans for the transfer of power. He went on to point out that the two communities had nothing whatever in common with each other, that India had never been a nation anyway, and that the British were much better off relying on the Muslims.[11] The all-pervasive belief in the British community that the Muslims, and especially the League, were the friends of the British also underpined the Wavell Plan mentioned earlier.

By contrast, not only were the Congress perceived as the adversary, but Nehru's left wing leanings, and his profound admiration for the Soviet Union and its style of centralized planning, could hardly have been unknown to the British. Therefore, for the British to believe, only months later, that India would be a more reliable guardian of British interests than Pakistan, against this awesome weight of history, is simply not credible.

Finally, Lamb has inexplicably overlooked the rather obvious fact that the Indian concerns of 1947 were not the same as the British strategic concerns of the early thirties. Once India was partitioned, the Himalaya ceased to be the country's natural ramparts in the north. With the creation of Pakistan, the enemy, metaphorically speaking, had breached the fortifications and was digging its trenches across the main courtyard. Kashgar, Sinkiang, and Lhasa, the names that generations of British strategists at the India office juggled with, faded rapidly from the Indian consciousness. Indeed, with the enemy in the courtyard, the enemy's neighbour became one's friend. This, more than Panchsheel, non-alignment, or ego, explains Pandit Jawaharlal Nehru's ready acceptance of China's assertion (or reassertion) of sovereignty over Tibet in 1950, and subsequent friendship with the Soviet Union.[12]

[11] ToP docs, vol. VIII, no. 248.

[12] Lamb's accusation that Caroe's disciples in the Indian foreign office carried out cartographic aggression on Aksai Chin in 1954, because they had Caroe's 1938

But with a potentially hostile frontier running straight across the Indo–Gangetic plain, the last thing India wanted was a weak and completely helpless neighbour to the north, whose territory also came down all the way into the plains of Hindustan. India therefore urgently needed Kashmir as a buffer to the north, but Kashmir could perform that role only if it was a part of a much larger, militarily strong, and politically stable state. Had Kashmir gone peacefully, of its own free will to Pakistan, this minimum requirement would have been fulfilled. This may have been one of the reasons why the Congress members of the interim government showed comparatively little interest in, or indeed enthusiasm for, securing Kashmir's accession.[13]

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example of 'cooking the books' to guide them, needs to be seen against this total lack of motive. Had India not accepted Chinese sovereignty over Tibet so unreservedly in 1950, Aksai Chin would have become critically important to it. But once it had done so, where lay the motive to push the border forward? Those who are familiar with the working of the Indian foreign office will know that the Indian claim, which undoubtedly did spark off the Sino–Indian conflict of 1962, was most likely caused by reliance on old maps, and a less than ready access to all the documents on the issue in chaotic filing system of that ministry. As for Caroe's disciples in the Indian Political Service, the only two who were senior enough to have learned from him, G.S. Bajpai and K.P.S. Menon, and who transferred to the Ministry of External Affairs around the time of Independence, had retired by 1954.

[13] Once the altered strategic perceptions of free India are taken into account, the note from the Indian foreign office to Attlee, of 25 October, giving the Indian government's reasons for sending its troops to Kashmir, which Lamb has cited as proof of India's concern to guard its northern frontiers in the Himalaya, acquires a completely different meaning. Lamb's claim that the part of the note which read, 'Security of Kashmir, which must depend upon its internal tranquility and the existence of stable government, is vital to the security of India . . .' meant that 'The state of Jammu & Kashmir was of great importance for the defence of the northern frontier *of the Indian subcontinent* and that India, unlike Pakistan, was the true defender of that subcontinent from such menaces as the Soviet Union . . .' is not tenable because every Indian security requirement outlined in it would be fully, and indeed far better met, if Kashmir was to be a stable buffer zone between India and Russia.

7

Britain and the Kashmir Questio

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[1] Scott's report, loc. cit.

[2] Signatures on the files are exceedingly difficult to read, but this and most of the annotations that will be referred to in this section were the handiwork of a H.R.A. Ibbold.

7
Britain and the Kashmir Question

Besides Nehru, while other Indian leaders were by and large disinterested in Kashmir, at least till a month before Independence, this cannot be said of the British government. The British had worked a plan to partition India and leave. They had given the princely states the freedom to decide the dominion to which they wished to accede. On 15 August their job was done, and their direct interest in the future of the subcontinent should have ended. But it did not. The correspondence in the India Office Records Library shows that Britain not only expected, but wanted Kashmir to accede to Pakistan. It tried its best to persuade India not to accept the Maharaja's accession even when the raiders were a bare 17 miles from Srinagar. When Kashmir did accede to India, it did all it could to keep the door open for the decision to be reversed. This makes it possible to understand Britain's stand on the Accession, and the position it took in the UN Security Council over Kashmir, which caused great hurt to Pandit Nehru and poisoned Indo–British relations in the fifties and sixties.

Why was Britain keen that Kashmir should go to Pakistan? The answer, as will be shown below, is that having partitioned British India on communal lines, the British were keen to make a clean job of it with regard to the princely states. The real reason was that Britain had assigned a place to Pakistan in its strategic design, and Pakistan's possession of Kashmir was an integral part of it. This becomes apparent as one follows British reactions to the development of the Kashmir crisis.

Nothing that happened in Kashmir came wholly as a surprise to the Commonwealth Relations Office in Britain. As far back as February

1947, the resident in Srinagar had reported the threats of the Pir of Manki Sharif. In September Gen. Scott had confirmed that Pakistan had imposed an economic blockade on Kashmir. 'Whatever may be the policy of the Pakistan government, Rawalpindi is turning on the heat. No sugar or petrol are reaching Kashmir.'[1] Scott went on to categorically refute the Pakistani contention that Muslim drivers were refusing to drive to Srinagar because they were being attacked by Sikhs on the road. He called these reports 'unfounded'. Scott had also reported that the threat to Kashmir came not from within, but from the fanatical tribesmen of Hazara and the Black Mountain. Lastly, around 15 October, the Commonwealth Relations Office also received a report from Major W.P Cranston, formerly of the Indian Political service, but attached after Independence to the UK High Commission in India, via Karachi, that several thousand tribesmen from Hunza, Dir, and Chitral were poised to invade Kashmir if the Maharaja acceded to India. The Mirs of Hunza and the Mehtars of Chitral had formally informed the Maharaja of their intentions. Indeed, the most unambiguous proof that the CRO already knew of these threats was a notation on the file, on 25 October, referring to Cranston's report, which reads: 'A recent first hand account of conditions in this area has been provided by Major Cranston in his report, but *it does not add much to our previous knowledge.*'[2] The Commonwealth Relations Office in London also had a fairly good idea, from the dispatches of Scott and the UK High Commissioner in Pakistan, Sir Lawrence Graffrey-Smith, that the Maharaja might have made up his mind to accede to India sometime in September, that this had been reported in the *Pakistan Times* on the 26th, and was the talk of Karachi by 8 October.

After having ruled the frontier region for a hundred years, and played the Great Game for most of that time, British officials at the CRO (a disproportionate number of whom were from the Punjab cadre of the Indian Civil Service) could hardly have failed to appreciate

[1] Scott's report, loc. cit.

[2] Signatures on the files are exceedingly difficult to read, but this and most of the other notations that will be referred to in this section were the handiwork of a H.R.A. Rumbold.

how important it was, for safeguarding Britain's strategic interests in the region, that Kashmir did not to fall into Indian hands. They would have had to be blind not to suspect, or indeed anticipate, that Pakistan would resort to more drastic methods to acquire Kashmir if threats and an economic blockade did not work. So when the Maharaja of Kashmir got his Dewan, Mehr Chand Mahajan, to send a desperate telegram to Attlee on 15 October, informing him of the blockade on supplies that Pakistan had imposed; of the increasing virulence of Pakistan Radio and press. Of their open threats of invasion and incitements to Pakistani nationals to invade Kashmir; of the distribution of modern firearms by the Pakistan government to its nationals along the Kashmir border; of raids by armed gangs into Kashmir all along the border from Gurdaspur to Gilgit,[3] and of what he termed (correctly, we now know) an invasion in Poonch, and begged the British Foreign office to send a telegram to Liaquat Ali Khan advising the Pakistan government to behave fairly with Kashmir, they could not have failed to realize that Pakistan was preparing to invade Kashmir. Despite this the British Commonwealth Relations Office advised Attlee to ignore Maharaja Hari Sigh's telegram. A laconic notation on the file reads, 'for obvious reasons, it is impossible to comply with this request'.

The reasons were anything but obvious: There was nothing peculiar about a nominally sovereign state facing a threat to its very existence asking another powerful state to use its good offices to avert it. There are innumerable such examples in history. When both Pakistan and Kashmir were creations of the British, the request became even more natural. The only 'obvious reason' for ignoring such a desperate plea was the existence of a tacit understanding in the British government that nothing should be done to prevent Kashmir from becoming a part of Pakistan. The Maharaja's telegram was therefore batted about from desk to desk between the CRO and the Prime Minister's office till it was buried on the 28th, with the comment, 'In view of Kashmir's accession to India, I should be inclined to send no reply'.[4]

Another curious omission that strengthens the supposition that the CRO at least, if not as yet the Prime Minister's office, was only too willing to turn a blind eye to what was happening in Kashmir so long

[3] IOR L/P&S/13/1845b. [4] Ibid.

as things were going Pakistan's way, is its failure to obtain either confirmation or rebuttal from its High Commission in Karachi of even one of the issues raised by the Maharaja in Mahajan's 15 October telegram. Mahajan's telegram should at least have alerted the CRO that some kind of assault by Pathan tribesmen might be imminent, especially as threats of such an assault had been reported ever since February. But even this threat and the potential it contained for a war on the subcontinent, failed to elicit a query from the CRO to its High Commission in Pakistan. This omission is all the more difficult to understand when only a week earlier it had asked for clarifications when Karachi reported rumours that a rebel government had been formed at Muzaffarabad, and a few days earlier when there was a strong rumour that the Maharaja had decided to accede to India. The CRO's insouciance also contrasts oddly with the deluge of telegrams that poured into the High Commission in Delhi seeking more and more information when it became apparent that India might send troops to Kashmir, with or without securing prior accession from the State.[5]

During the build-up to the invasion, the CRO was more concerned with providing justifications for Pakistan's actions and Britain's compliance with them, than with seeking to avert a possible conflict that would jeopardize the strategic plan that had been spelt out in Attlee's letter of instructions to Mountbatten. A notation, probably by one R.H.G. Rumbold, dated 25 October 1947, is particularly revealing:

> *The Times* reports today that Moslems from Pakistan have entered Kashmir and cut the road from Rawalpindi to Srinagar. The position however is quite different from that obtaining in regard to Junagadh, because threats to Junagadh come from the Indian government and Indian Armed Forces, whereas Pakistan have not deployed any of their Armed Forces against Kashmir.
>
> *Moreover Junagadh is part of Pakistan, whereas Kashmir has acceded to neither dominion. Consequently although there may be a case for urging moderation on the Government of India in regard to Junagadh, I doubt whether there is a case for our intervening with the Government of Pakistan in regard to Kashmir on the lines suggested by the Prime minister of Kashmir.*[6] [Emphasis added.]

[5] Ibid. [6] Ibid.

The sophistry behind the exoneration of Pakistan from any involvement in the Pathan invasion of Kashmir does not need to be underlined, for the raiders had to pass through hundreds of miles of Pakistani territory to get to Kashmir. But the note reveals a far more significant resort to double standards. Almost the entire population of Junagadh was Hindu. There was no political party in the state, and above all no 'Hindu' political party that was advocating either independence from India or a merger with Pakistan. So the Nawab's decision to accede to Pakistan was based purely on his personal desire to belong to a Muslim nation, and antipathy to merging with a 'Hindu' one. In terms of the underlying principle of Partition, it could therefore be considered perverse. Despite this Rumbold felt no hesitation in unambiguously stating that Junagadh had become a part of Pakistan. The CRO at least, if not the British government as a whole, had therefore no qualms in considering the Nawab's decision to accede to Pakistan as final. By contrast, in the case of Kashmir where a quarter of the population, living in two-thirds of the State, was Hindu, Sikh, or Buddhist, and where there was a sharp division within the Muslim community itself about which dominion to join, Britain did not recognize the finality of the state's accession to India. Kashmir became, and has remained for 47 years, in London's view, a 'disputed territory'![7]

On the 25th Nehru sent a telegram to Attlee informing him of the grave situation that had developed in Kashmir as a result of the invasion by the tribesmen; that they were now only a few miles from Srinagar, and that the Maharaja had sought assistance.[8] The telegram was clearly intended to forewarn Attlee that India intended to take some action, but had not decided quite what that would be. Attlee's telegram in reply was interesting: despite Nehru's cogent description of the danger that Srinagar faced, he urged Nehru not to send troops to Kashmir.[9] On the 27th Nehru sent him another telegram informing him of Kashmir's accession to India, the train of events that had

[7] The fact that India's prime minister and governor-general had themselves accepted the accession only provisionally should not have affected the CRO's assessment of the legitimacy of the accession.

[8] IORL/P&S/13/1845b.

[9] Ibid., pencil-numbered pages 517, 518, 519, and 520.

led to it, and India's decision to send in troops. The telegram, sent purely (and perhaps gratuitously) as an act of courtesy, described the circumstances in which India had decided to accept Kashmir's accession: The Maharaja, it said, 'appealed for help and offered accession. . . .' The appeal also came from

> the largest popular organization, the National Conference . . . thus we were approached not only by the State authorities but also on behalf of the people of the State. . . . We decided at first not to send any troops to Kashmir but to supply arms for which a demand had come to us some time ago. But later developments made it clear that unless we send troops immediately, complete disaster would overtake Kashmir with terrible consequences all over India. . . . In case the raiders reached Srinagar, this would have had very far reaching consequences over the communal situation all over India.[10]

Attlee's reply to Nehru must have come like a douche of icy water. Para 2 of the telegram reads:

> I do not think it would be helpful if I were to comment on the action which your government has taken. The immediate and grave problem . . . [is] to prevent Kashmir becoming the cause of a break between the dominions themselves. This cannot but be a matter of concern to me and my government. . . . I can only urge again that you and the Prime Minister of Pakistan . . . try to concert plans . . . (b) for the final solution of the problem of its ultimate relationship to Pakistan and India, including the vexed question of how to ascertain the will of the people in a State like Kashmir.[11]

Attlee's telegram made it clear that Nehru's explanation for accepting the accession had cut no ice with him. Attlee did not approve either of the accession or of Nehru's having disregarded his earlier admonition not to send troops to Kashmir. There was not a word of sympathy for Kashmir, not a word of understanding, let alone praise, for what India had done. By the same token, there was not a breath of criticism, explicit or implied, of Pakistan's passive role at the very least, in facilitating the invasion. As for the accession, the telegram leaves one in no doubt that even had the Indian government not given the assurance

[10] Ibid.. Telegram sent *en clair* by the UK High Commission in India at 5.30 a.m., 28 Oct. 1947.

[11] Ibid. Sent to Nehru via UK High Commission the same day.

that it was subject to ratification by the people, the British prime minister would not have regarded the accession as final. This telegram marked the end of the post-Independence honeymoon between Britain and India. Nehru's communications with Attlee from that point on were frigidly polite.

V.P. Menon minced no words in saying as much to the British Deputy High Commissioner a few days later(the High Commissioner, Sir Terence Shone was away from Delhi during these crucial days). On 30 October, Menon went to see Symon. The telegram that went out from the High Commission says it all.

> Symon and Shattock had further long talk with V.P. Menon this evening. Mr Attlee's latest message had invoked strong criticism and resentment from ministers, particularly as regards Para 2. . . . Menon, according to Symon, had gone on to point out that Nehru had not been obliged to communicate any decision or explain its rationale to the British government and that his telegram had been an act of courtesy and no more.
>
> Nothing Symon or Shattock could say would budge Menon on this. Menon said HMG had better knowledge than anyone of what raiding tribesmen could do if left unchecked and pointed out that before August 15 effective and immediate action would have been taken by the paramount power in similar circumstances. . . .[12]
>
> He pointed out that the Governor General had been consulted at every stage and . . . [asked] what other action the government of India could

[12] Menon had put his finger on the key element that gave away the British game plan. In 1946, when the Muslim League had begun its direct action in the NWFP, stoking communal animosity and creating conditions of anarchy in which the governor could justifiably claim that government had broken down and declare Governor's rule under Section 93 of the India Act, 1935, Dr Khan sahib, prime minister of the NWFP, had accused the governor, Sir Olaf Caroe of not providing him with enough forces because he did not want the situation controlled. Caroe rejected this criticism, asking Khan sahib how far a popular government could go in suppressing a popular movement against it, but to Khan sahib's retort that appeasing those who created disorder would only fan it further, Caroe had no answer (ToP documents, vol. x, no. 117. Meeting held on 18.4.47. Mountbatten evidently agreed with Khan sahib because three days later he warned Abdur Rab Nishtar, the leader of the Muslim League in the NWFP, that 'If you cannot control the Muslim League in the NWFP, then I will have to provide additional forces to the prime minister' (ToP docs, vol. x, no. 186, p. 348). In Kashmir too, doing nothing in the face of a jihad would have solved the problem entirely to Pakistan's and British satisfaction.

have taken to meet situation which left them with only two alternatives . . . either to give assistance . . . or let Kashmir be taken over by raiders with the probability that Pakistan would recognize the resulting Muslim provisional government and thus ensure hegemony over the state. . . .

'It was impossible for the raiders', Menon went on, 'to have organized themselves and passed through Pakistan territory without the knowledge and acquiescence of the Pakistani authorities. There was not a shred of evidence that the latter had taken any action to prevent the raiders from entering Kashmir.'

Moreover, it was known to the government that the Pakistani government were holding a brigade at Abbotabad, that Jinnah actually gave the order for it to be moved and that this was frustrated by the Supreme Commander's visit to Lahore.

In the light of all this, Menon feels strongly that India deserves better from HMG and this view is held by the ministers. . . .

During his earlier talks with Symon on 26 October, after he failed to go to Jammu, Menon had told them that India knew that Pakistan was behind the raiders; that Pakistan had planned to celebrate Bakrid, the important Muslim festival, in Srinagar on 26 October; that Pakistan had already created a provisional government that was on it way to take over and, most ominous of all, that it had a brigade in readiness to move at Abbotabad on the straight road to Uri and the valley, which could be in Srinagar in a few hours if ordered to move. Menon went on to tell Symon that the Maharaja had proposed accession to the Indian union. V.P. had surmised that India would take the line that there was no basis for discussing the future of Kashmir with Pakistan until the raiders had been driven out of the state. The Pakistan government could assist in this. Otherwise it would be necessary to take adequate measures to prevent further incursions.

As subsequent revelations, which have already been described in earlier sections of this book, showed, every word of Menon's account to Symon was true. But nothing that Menon had said made any impact in London. Kashmir's accession to India not only upset all British strategic calculations for the area, but released an animosity towards India in the CRO that had till then been held in check. Menon knew that a deputy commissioner designate for Kashmir was on his way up

to Srinagar from Abbotabad, and was already with the raiders inside Kashmir territory, from a confidential message sent to Mountbatten by Gen. Messervy from Pakistan, that a British officer who had been leaving Kashmir via the Rawalpindi road with his wife and another officer, had been attacked by tribesmen and seriously wounded; and that their lives had been saved by a Pakistani INA officer who was accompanying the raiders. It was this officer who had reported the presence of the skeleton administration with the raiders.[13] Since the information had come from Gen. Messervy, the British presumably knew it too, both in Karachi and London.

Gen. Messervy had in any case, strong suspicions by now of what the Pakistanis were up to, and had strongly advised Liaquat Ali against any such covert adventure in Kashmir. Shortly before the invasion, Sir George Cunningham, the governor of the North-West Frontier Province, telephoned Messervy to ask him what the Pakistan government's policy was. Clearly, whatever was happening in the tribal agency areas was happening behind his back. Given his own suspicions, Messervy had on some pretext sent an officer to the house of the Commissioner of Rawalpindi from where, it was rumoured, the operations in Kashmir were being directed. The officer found the Commissioner presiding over a meeting of tribal Pathan leaders, including one Badshah Gul.[14] Despite this, and any other information

[13] *Patel's Correspondence*, vol. 1, no. 69, pp. 6–9. In a letter to Patel dated 27 October, Mountbatten conveyed the following information: 'General Rees spoke to a demobilized British officer who three days ago motored from Srinagar to Abbotabad. He was held up at gunpoint by an advancing Lashkar tribesmen who robbed him and also robbed and shot a retired British officer travelling with him. . . . The British officer gained the impression that the movement was very definitively organized; that there were ex-INA officers involved; *that a staff for controlling Srinagar (e.g. deputy commissioner designate, etc.)* was *en route* to Srinagar; *that the Muslim League is involved.* The M.T. [motorized transport] used were civilian buses and petrol is very short. . . .'

[14] Hodson, op. cit., p. 447, fn. This was the same deputy commissioner who, the British High Commission in Karachi admitted to London, had actively prevented the supplies of essential goods purchased by the Kashmir government from moving beyond Rawalpindi, thereby in effect imposing a blockade on the state. However, the British Colonel who wrote from captivity in Abbotabad, to Captain Stringer in London, said that the new DC held a high position in the Muslim League, and that

that Britain might independently have had, the CRO flatly refused to entertain the notion that Pakistan had instigated the tribal invasion of Kashmir.

The presence of a brigade in Abbotabad and another at Sialkot intended for Kashmir was confirmed by Jinnah himself when he ordered Gen. Gracey, the Pakistan Commander-in-Chief, on the 27th night, to send these into Kashmir. Coming on top of the reports of Webb, Scott, Cranston, and Messervy from Pakistan, and the telegrams of Mahajan, Nehru, and Symon from Delhi, the CRO should by now have been at least as disturbed as Messervy and Sir George Cunningham were in Pakistan. But as the notings on Symon's despatch by Rumbold show, the CRO had become immune to persuasion.

Rumbold dismissed Menon's assertion that a brigade was being kept in Abbotababd to back up the tribesen's invasion if necessary, with the observation;'We know that Pakistan have too few troops to deal with the tribesmen, so how could they have a spare brigade?' The obvious answer was that Pakistan was not using its troops to 'deal with the tribes'.

On Menon's remark that it was the Maharaja who had proposed accession, the British already had a host of information from Pakistan suggesting that he might have made up his mind as far back as the middle of September. It could thus have hardly come as a surprise, but Rumbold insisted on disregarding all that, viewing this as an accession made under duress by a Maharaja whom India had left with no other choice. His remark on the file makes this amply clear when he wrote, 'Or had Menon made it clear that accession was the price of help?'

Finally, in response to Menon's remark that there could be no discussion of the future till the raiders had first been repelled, and Pakistan could help if it wished, Rumbold has the following comment: 'These conditions are probably impossible of fulfillment, and are

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his predecessor had been removed to make way for him (Indian White Paper on Kashmir). From this it is clear that the DC in Rawalpindi was the nodal point of Pakistan's Kashmir operation with regard to pressurizing Srinagar, coordinating the movements of, and ensuring supplies of petrol and other goods in short supply to the raiders.

probably meant to be so.' In short, according to the CRO's perception, the tribesmen invaded Kashmir against Pakistan's wishes, but Pakistan could not be expected to help in pushing them out!

On the 28th Noel-Baker sent the prime minister a note containing the CRO's preliminary assessment of the situation in Kashmir. It said,

> The Indian government were certainly forced into a difficult situation... but at best their action was needlessly provocative in:
>
> a) choosing Sikh troops to send;
> b) Accepting accession to India even if only provisionally, which was obviously unnecessary at this stage;
> c) Welcoming a Congress minded prime minister for Kashmir.
>
> As regards future relations between the two dominions, I fear this Kashmir episode is likely to prove even more disastrous than the recent events in Punjab and Delhi.[15]

While London was disregarding everything that it learned from Indian sources, it was accepting with a remarkable lack of critical appraisal, everything that it was being fed from Pakistan. On 27 October, in a covering note sent along with copies of Kashmir's correspondence with Pakistan, the UK High Commissioner put the blame for the souring of relations between the two governments which culminated in the raiders' invasion, not on Karachi but on the government of Kashmir. 'The Governor-General's specific invitation to the prime minister of Kashmir [on 18 October] to visit Karachi for the purpose of amicable discussion of existing differences might however have created a new situation had the authorities in Kashmir been willing to respond.'[16]

In that despatch, Sir Lawrence Grafftey-Smith also categorically rejected the Maharaja's accusation that Pakistan had imposed an economic blockade on Kashmir. All that he was prepared to concede was that 'There is doubtless much truth in this [Pakistan's claim that drivers were refusing to go to Srinagar], but the local authorities at Rawalpindi certainly reinforced the blockade imposed by circumstances'.

But London had another source deep in the Pakistan government,

[15] Note to PM from SoS for CR, 28 Oct. 1947, loc. cit.
[16] IORL/P&S/13/1845b.

and exceptionally close to Jinnah, whose word, in all probability, counted even more with the CRO than did that of the High Commissioner in Karachi. This was Sir Francis Mudie, the Governor of Punjab.

On 29 October Mudie sent a telegram directly to the Commonwealth Relations Office, London, via the UK High Commission in Pakistan. In it he categorically denied that Pakistan had imposed an economic blockade on Kashmir, thus reinforcing what Grafftey-Smith had said two days earlier, and dismissed all the Kashmir government's allegations, made in its several telegrams to the Pakistan Government on this score. He also denied that Hindu and Sikh refugees from Pakistan were being massacred as they travelled to Jammu, *en route* to India, and claimed that the exact opposite was the case. He accused the Kashmir state troops of massacring Muslims. He alleged that state troops had massacred Muslims in Poonch on or around 2–3 October (i.e. just three and four days after Gen Scott's last report which described Poonch as being peaceful), that women and children were being killed and villages burnt; that there was a massacre of Muslims in Jammu, that automatic weapons and mortars had been used by the state forces. Mudie reported that a Brigadier of the Kashmir state forces had told his Pakistani counterpart that his orders were to drive Muslims out from a three mile belt along the border. He claimed that armed mobs had carried out raids across the border, and that in one village in Pakistan, more than 17,000 bodies of Muslims had been counted. He also said that there were 1,00,000 refugees from Jammu in W. Punjab.

Mudie strongly resented the Kashmir government's threat, as he saw it, to 'call in assistance from the outside, the only object of which could be to suppress Moslems to enable Kashmir to accede to India *by a coup d'état*'.[17] On the contrary, he accused the Kashmir government of having from the start hatched a deep-seated conspiracy to accede to India against the wishes of the people. Mudie concluded with absolute certitude, 'Kashmir's action [acceding to India] cannot be based on the action of the Pathans'. Mudie had sent the same telegram to Jinnah and the Pakistan government.

[17] Telegram of 19 Oct. from UK High Commission, Karachi, 3.10. a.m.

This telegram was, to say the least, a 'somewhat irregular' communication.[18] It is revealing because it shows very clearly the special relationship that existed between Karachi and the Commonwealth Relations Office. The fact that Mudie did not feel inhibited from sending a telegram directly to the Secretary of State for Commonwealth Relations, showed that he considered himself to be a servant not only of the Government of Pakistan, but also of his own country and government. What is more, judging from the notations on the file, no one at the CRO thought that Mudie was overstepping the bounds of propriety either. Mudie was their man in a difficult state at a critical time.

That, needless to say, made his assessment of what was happening very special, and accounts to some extent for the way in which Mudie's version of events in Punjab and Kashmir was accepted uncritically by the CRO. Just how uncritically was revealed when a British Foreign office spokesman used the term *coup d'état* to describe India's acquisition of Kashmir.[19] Equally significant, one day after Mudie sent the telegram to London, Liaquat Ali, in an extremely threatening letter to Mahajan, the prime minister of Jammu & Kashmir, accused Kashmir of killing Muslims in order to execute a *coup d'état* against the people of Kashmir.[20] One phrase thus echoed in three secretariats!

Just how close Mudie and Jinnah had become had already been revealed when, late at night on 27 October, Jinnah ordered Gen. Gracey, the Commander of the Pakistan Army, to invade Kashmir with two brigades from Abbotabad and Sialkot. Knowing that this order would meet with resistance, Jinnah asked Mudie who was with him, to telephone Gen. Gracey and convey the order. When

[18] The words are Lord Ismay's, when he referred to a telegram he sent from the British High Commission to London on 31 October, explaining the circumstances of the Accession. Ismay at least knew that as the chief of staff to the Governor-General of India, he should not normally be communicating directly with London. But Sir Francis had no such inhibitions and, what is more, London did not expect him to have them.

[19] This provoked a strong protest from India which was communicated to the UK High Commission in Delhi by V.P. Menon. Telegram sent to London from UK High Commission, 30 Oct., *loc. cit.*

[20] IORL/P&S/13/1845b.

Gen. Gracey said that he could not obey the order without consulting the Supreme Commander, Field Marshal Sir Claude Auchinleck, Mudie used language, according to Gracey, 'of undiplomatic tone and imperiousness'.[21]

Mudie's telegram of 29 October reveals his closeness to Jinnah even more clearly: even a superficial comparison with Pakistan's 30 October statement rejecting the accession of Kashmir to India shows not only that the ideas expressed, but their sequence and even their wording, were taken very largely from Sir Francis Mudie's telegram of the 29th. It must be remembered that Jinnah was not in Karachi on these days but in Lahore. Mudie too was in Lahore. It is therefore a fairly safe surmise that Jinnah asked Mudie to draft the 30 October statement. But a day before Pakistan's statement was released, Mudie had sent the same information to London as his appreciation of the situation; an appreciation that, as we have seen, London chose to accept uncritically. The close resemblance between Mudie' telegram and Pakistan's statement should have alerted London that he was no longer the most unbiased of observers, but there is not a word anywhere in the notations on the file to suggest that London had any such qualms.

The reason for this strange blindness, and indeed for the marked partisanship displayed throughout by the CRO, becomes apparent from the telegram sent by Grafftey-Smith from Karachi at 1.15 p.m. on 29 October 1947. The key portions of the telegram read as follows:

1. . . . The Indian government's acceptance of the accession of Kashmir to the Dominion of India is the heaviest blow yet sustained by Pakistan in her struggle for existence.

2. Strategically the frontier of Pakistan which must be considered as requiring defence is very greatly extended. Government of India gain access to the North West Frontier and tribal areas where infinite mischief can be made with 'Pathanistan' and other slogans, and the Pakistan government's hopes of reducing their very heavy defence budget by friendly

[21] Hodson, op. cit., p. 457. It is fortunate that Sir Claude was in Lahore at the time, and backed Gracey fully. Otherwise, Mudie might well have succeeded in forcing Gracey to accept Jinnah's order. Had that happened, India would have immediately counterattacked Pakistan at Lahore, and Partition would have been undone in the bloodiest possible way.

accommodation with Tribal elements as between Muslim and Muslim disappear with this direct contact between Delhi and the tribes. Afghanistan policy will almost certainly change for the worse; and disturbances and disorder in Gilgit and the North-West Frontier zone generally *may well, as suggested in my telegram no. 108 of October 6th, excite Russian interest.*

3. Pakistan government's view is that Kashmir developments have created a new international situation to which HMG *and the US government* cannot without danger, remain indifferent. . . .[22] [Emphasis added.]

So there it was again: the three-quarter century-old fear of the Russian bear across the Pamirs and the Hindu Kush, but now with a modern air force and missiles for teeth. What is more, as para 2 of the telegram showed, this was not an argument suddenly dredged up to lend respectability to a judgment made on emotional grounds. Grafftey-Smith's reference to a telegram of 6 October, in which he has raised the same argument concerning Russia, and the dangers that would arise were Kashmir to accede to India, shows that this was already very much on the British government's mind. Para 3 suggests, moreover, that if it had not already been the subject of discussions between the UK foreign office and the US state department, it became one shortly thereafter.[23] The evolution of Pakistan's relations with the US and the NATO alliance over the next forty-two years is foreshadowed in this pregnant paragraph. It explains India's surprise, discomfiture, and finally anger at the way the debates in the Security Council turned against it, the polite scepticism with which its representations were received, and the ease with which Pakistan's representative, Sir Mohammed Zafrullah Khan, seemed to get the best of every exchange.[24]

[22] Telegram to Secy of State for Commonwealth Relations, 29 Oct. 1947, 1.10 p.m., IORL/P&S/13/1845b.

[23] The 6 Oct. telegram is not in the file L/P&S/13/1845b. It must be in one of the 21 other files on Kashmir, which the Foreign and Commonwealth Office withdrew from the India Office Records Library 'for review'. The most important of these are L/P&S/13/1930 to 1948. Two other files on Kashmir have been 'missing' since February 1993.

[24] When the Security Council began to favour a neutral administration in Kashmir in preparation for a plebiscite, he told Mountbatten that he now bitterly regretted going to the UN. The report of the Governor-General to the King reads as follows:

Grafftey-Smith went on to add that Jinnah had done his utmost to stop the tribes from embarking on murder and mayhem in Punjab. He also categorically denied in his telegram that Pakistan had instigated the tribal invasion. He said, on the contrary, that 'Sir George Cunningham [the governor of NWFP, and an old frontier hand] has brought very strong pressure to bear to stop more tribesmen following "the original gang". But the accession, and the use of Sikh troops, has evidently undone this because a greatly increased number of tribesmen are now reported to be in Kashmir.'[25]

In the light of what we know was actually happening, Sir Lawrence emerges from this and other despatches as almost pathologically anxious to believe whatever the Government of Pakistan told him. But the CRO was no less anxious to do so. The notation on this file, again by Rumbold, reads: 'This is the first time I have seen it stated that Mr Jinnah prevented the tribes from moving in on the Punjab [?] situation. But Sir Grafftey-Smith states the fact categorically in this telegram and there is no reason to question it.'[26]

The British government also swallowed the fiction that Pakistan had not only not sent in the tribals but, through Sir George Cunningham, had done its best to prevent them from going into Kashmir. What Sir George had actually felt at the time was narrated to Sir Olaf Caroe by Iskander Mirza in a letter written in 1968.

In 1968, when his wife Kitty fell ill, Sir Olaf received a long letter from his lifelong colleague and friend Iskander Mirza, President of Pakistan from 1955 to 1958, a key associate of Jinnah, and one of the principal architects of Pakistan. Mirza, who was living in London working on his autobiography, reminisced at length about the days of

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'Pandit Nehru said that he was shocked to find that power politics and not ethics were ruling the United Nations Organization and was convinced that . . . [it] . . . was being completely run by the Americans, and that Senator Warren Austin, the American representative, had made no bones of his sympathy for the Pakistan case. He considered that the UNO did not intend to deal with the issue on its merits. . . . He said that he thought that Mr Noel-Baker . . . had been nearly as hostile to India as Senator Warren Austin . . . simultaneously an impression started gaining ground in India that the only two members of the Security Council who were likely to look with sympathy on her case were USSR and Ukraine.' [Hodson, op. cit., pp. 469–70.]

[25] Ibid. [26] Ibid.

Pakistan's birth and explained the intrigues that had prevented Jinnah from recalling Sir Olaf (whom Mountbatten had dismissed from the governorship of the NWFP) to resume his old post. The most revealing portion of the letter reads:

> The unhappy and dishonourable occurrences in late 1946 and early 1947 in connection with your tenure as governor of the NWFP bring back some very unhappy memories. There was no doubt in my mind that Lord Mountbatten was no friend of yours and he was guided more by Nehru than by anybody else, and Nehru firmly believed that all the incidents in Malakand, Razmak and Khyber during his visit as Minister of External Affairs were created by officers of the Political service and you were governor at the time. . . . I told the late Nawabzada Liaquat Ali Khan of your great qualities and after the referendum urged that you should go back as Governor and that the Muslim League was honour bound to insist on this. But believe me there was no honour, then or later. . . .
>
> Sir George Cunningham's return was a great surprise. . . . But what did the politicians do to Sir George? *Behind his back they pushed tribesmen into Kashmir.* Sir George was about to resign in late 1947 and I had to beg him not to do so . . . I don't think you should feel sorry. Knowing you as I do you could not have stuck all the dishonourable intrigues so very rampant since the very inception of Pakistan. . . .[27] [Emphasis added.]

When Mountbatten, out of an earnest desire to prevent all out war between the dominions, provisionally accepted the accession of Kashmir to India, he upset a deeply laid strategic design of considerable importance to London, and soon also to Washington. That is what earned him the ire of the Civil Service in London and brought down a spate of criticism on his head. Noel-Baker's policy note to Attlee was about as direct a criticism of the Governor-General that any member of the British cabinet could have made. While Sir Francis Mudie and Sir Lawrence Grafftey-Smith were 'their men' in Pakistan, Mountbatten had ceased to be one, and had gone over to the 'other side'. Latter-day criticisms of Mountbatten as an inexperienced, publicity hungry outsider who, in his naïvete, hurried the transfer of power, allowed Punjab and Bengal to be partitioned, and upset a carefully laden strategic

[27] Letter from Iskander Mirza to Sir Olaf Caroe, written on 26 September 1968 from his flat in London, IORL, MSS Eur F/203/2. *See* App. II for complete text.

apple-cart, all stem from this great rift. But the note of 28 October was only the beginning. In the next few days, this rift widened rapidly.

Lord Mountbatten must have become aware that the CRO considered his initiative to have been ill-advised, but did not as yet know what lay behind this judgement. He therefore still believed that it was possible to get the CRO to change its assessment. He was also concerned that the attitude adopted by the British government, which had already been reflected in a statement by Noel-Baker in the House of Commons, would fuel Pakistan's determination to resist any move to restore peace except on its terms, and might still precipitate a full-scale war. Unwilling, as Governor General of an independent country, to communicate directly with the British government at the ministerial level, he adopted the stratagem of getting Lord Ismay to send a telegram to Noel-Baker. The contents of this telegram and the CRO's response show how wide the gulf between the former viceroy and the peddlers of *realpolitik* in London had become:

Lord Ismay began by saying that,'the Kashmir situation is fraught with such far reaching possibilities as to justify this somewhat irregular telegram'. He then went on to make a most unusual request:

> I was myself shocked on return here last Tuesday to learn that Indian troops had been dispatched to Kashmir, but after hearing the full story I am convinced that there was no option despite the grave political and military risks involved.

Describing how Mountbatten's successive efforts to get the two prime ministers together to work out a way of restoring peace were sabotaged by statements emanating from the Pakistan government, i.e. Jinnah or Liaquat Ali, Ismay suggested that the time had come for Attlee to send a telegram to Liaquat Ali to administer a shock to him in much the same way as his telegram to Nehru of 30 October had done. 'It seems only right', he said, to administer an even stronger jolt to Liaquat as being the prime minister of what I am convinced is, in this matter, the guilty state.' Ismay therefore suggested that Attlee should send Liaquat Ali a telegram on the following lines:

> I feel it only right to let you know that there are reports in this country that this aggression was arranged by the Pakistan government. We do not

believe that for a moment but it is difficult to see how the Pakistan government could have been unaware of the movement of such a considerable body of tribesmen in motor transport through Pakistan territory. . . .

Pakistan, Ismay pointed out, controlled the Raiders' lines of communication. 'It would be a very simple matter for them to put an immediate end to the fighting'. This was exactly what Jinnah told Lord Mountbatten when the latter met him in Lahore on 1 November, 1947.[28]

Ismay warned the CRO that the Secretary of State's statement in the House of Commons on 30 October 'may cancel the Lahore meeting, or cause an explosion in the Indian cabinet . . .' 'You should know,' he concluded, that when Nehru fell ill Mountbatten rang up Jinnah and urged him to come to Delhi for a meeting. Jinnah absolutely refused on the grounds that he was too busy. Mountbatten has not divulged this uncooperative attitude to his ministers, which would definitely have stopped them from agreeing that Nehru should go to Lahore.[29]

The UK High Commissioner also sent a cable the same day strongly endorsing what Ismay had written, saying that he had been about to draft a cable on the same lines. 'Whatever the jockeying over Hyderabad, Junagadh and Kashmir by the two dominions, Pakistan has been guilty of conniving in the actual use of force in the case of Kashmir.'

Noel-Baker's reply to Ismay repeated many of the points in the note he had prepared for Attlee, but in such a peremptory tone that the animosity towards Mountbatten becomes apparent:

I had better give you our view of the situation as it appears to us in London. We are also satisfied that Jinnah has been feeble or unwise in acquiescing to or tolerating the activities of the tribesmen or more prob-

[28] Jinnah's statement, as reported jointly by Mountbatten and Ismay was, 'he said that all he had to do was to give an order to come out and if they did not comply, he would send large forces along their line of communications'. Note on a discussion with Jinnah in the presence of Lord Ismay at Government House, Lahore, 1 November 1947. The text of this note has been frequently reproduced in full or part. It is taken here from *Sardar Patel's Correspondence*, vol. 1, encl. to doc. 72, pp. 73–81. The para quoted appears on p. 79.

[29] Telegram to SoS, CRO from Lord Ismay, 31.10.1947, IORL/P&S/13/1845b. Mountbatten tried twice to arrange meetings between Nehru and Liaquat and Jinnah, but apart from the fact that both Nehru and Liaquat fell ill at just this time, the Pakistani communiqué of 30 October and Liaquat's radio address of November made these impossible.

ably in not stopping his people from pursuing such a policy, but *we cannot believe that Jinnah planned or designed what in fact has happened.*

The Kashmir situation now gravely menaces the future stability of the whole of Pakistan and we are sure that Jinnah understands this. . . .

We appreciate the strength of the Indian government's position so far as concerns their dispatch of troops to Kashmir in the light of developments since our first message, and it is no doubt true that if Srinagar was looted by the tribes the general effect on the communal situation might be very grave.

Nevertheless the Indian government made a dangerous and provocative mistake in our view in accepting even provisionally the accession of Kashmir to India. There was no need to do this. Militarily help could certainly have been sent . . . without accession of the state. [Emphasis added.]

One wonders whether there is another example of anyone in as high a position as Mountbatten being rebuked as soundly as this. Unfortunately, Mountbatten's humiliation did not stop there. Noel-Baker accused India 'of not keeping alive the spirit of cooperation with Pakistan by informing Jinnah of what they were about to do and explaining that it was not intended to produce a *fait accompli* as regards Kashmir's future . . .'. 'You will see from the above', Noel-Baker concluded, 'that we cannot send a message to Jinnah on the lines you suggest.'[30]

This was followed by a formal reply to Ismay, sent from London at 7.00 p.m. the same day, which ran as follows:

PM's view is as follows: It is difficult for us in London to assess the exact position or to pass judgment on the degree of culpability of particular governments since we get conflicting reports. The prime minister is therefore unwilling to send a message to Jinnah which in effect charges him with the major responsibility.

A few days later the British government set out its considered position on the Kashmir dispute in a telegram to both High Commissions, a position that has in essence remained unchanged to this day:

1. Kashmir should have acceded to Pakistan. This was the natural course for it to have followed.

[30] Personal telegram to Ismay, care of the UK High Commission in India, 31 Oct., IORL/P&S/13/1845b.

2. The Kashmir government failed to pursue the proposal for discussions with the Government of Pakistan. Either the Maharaja of Kashmir or his prime minister should have come down.

3. There was no evidence for the government of India's allegation that the Pakistan government organized the incursion of the tribesmen. Indeed they brought strong political pressure to bear on the tribes not to enter Kashmir. The evidence for this was the telegram from Grafftey-Smith that has already been quoted above.

4. Pakistan had not recognized the provisional government set up by the Moslem conference although India had openly given facilities to the provisional government of Junagadh, set up at Rajkot.

5. But the Government of Pakistan had been most unwise in not taking physical steps to prevent the tribesmen from crossing their territory, and the tribesmen had had connivance from local Pakistan authorities in obtaining artillery and transport.

6. Jinnah's abortive attempt to enter Kashmir was clearly a grave error but was apparently not premeditated.

7. The Government of India made provocative mistakes in accepting even provisionally the accession of Kashmir to India. Military help could have been sent without accepting the accession of the State.

8. India was also wrong not to let Pakistan know of what it intended to do.

9. Lastly, India was tactless, to say the least, to have sent in Sikh troops.

10. Sikh slaughter of Moslems in Punjab and Delhi, and attacks by Kashmir state troops on Moslem villages gave them [the tribesmen] specific direction for their outbreak.

Subsequent disclosures and documents released to the public have shown that on each of the ten points given above the British government's appreciation of the situation was utterly wrong. But since these ten points still colour the positions being taken by the British foreign office and the US state department, they need to be examined carefully in the light of the findings detailed above. Taking them up serially:

1. Britain clearly wanted Kashmir to go to Pakistan. But that was not all. The British government made it clear by its choice of words that what Britain wanted was also *morally* right: and therefore that the Maharaja was morally bound to have acceded to Pakistan. It is difficult

to see where this quasi-moral imperative was derived from. It certainly did not stem from either the Cabinet Mission's plan or the Partition plan, both of which gave the Maharaja the unfettered right of choice. Indeed the CRO was adamant that Junagadh was a part of Pakistan for precisely this reason. Nor could this moral imperative stem from the fact that most of its population was Muslim. This argument should have made Junagadh part of India, but didn't. Nor does this note take any cognizance of the fact that Kashmir had a powerful, overwhelmingly Muslim political party that would have preferred Independence with close links to India had it the choice, and acceding to India rather than Pakistan if it did not. London knew that the National Conference was the pre-eminent political force in the State, from any number of reports from its resident Webb, and later Gen. Scott. That the National Conference was pro-India was conceded by none other than Sir Lawrence Grafftey-Smith in a telegram sent on 18 October, at 1855 hrs. In it he had reported, 'Indications are Abdullah favours complete independence but would not oppose decision of Maharaja to accede to India'.[31]

Thus Kashmir's position was not analogous to that of Junagadh. It would have been had there been a political party of any size in the state that had wanted it to accede to Pakistan. This crucial difference between Kashmir and Junagadh was conveniently glossed over by policy-makers in the CRO. The CRO was also totally ignorant of the wide ethnic differences—of culture, history, and religious practice—between the Muslims of the valley and those of the plains, even within Kashmir state. But that was only to be expected. The entire partition of India was based on an utter disregard for ethnicity and the ascription of an all-pervasive importance to religion.

2. Considering that raiders from Pakistan invaded Kashmir in the early hours of 22 October, it is difficult to see what purpose Jinnah's invitation to the Maharaja to talk things over, just days before, was intended to achieve. The Maharaja had been complaining to Pakistan about the blockade since early September. By the time Gen. Scott

[31] IORL/P&S/13/1845b, already cited. This is the telegram in which Grafftey-Smith informed London that the GoP had no confirmation of any rebel provisional government.

left on 29 September the blockade was very much a reality. On 2 October the government of Pakistan denied imposing a blockade, but did not invite the Maharaja or an emissary for talks. Why was the invitation not given then? Jinnah's second invitation was given on the 20th. But from the 19th to the 23nd the Maharaja was touring the Jammu/Poonch–Punjab border. Indeed, had the Maharaja not changed his plans at the last minute and gone to Bhimber on 20 instead of 21 October, he and Mahajan might both have found themselves being attacked by armed bands from the other side of the border. Bhimber Rest House, which was only two miles from the border, was attacked and burnt to the ground on the 21st.[32]

The most likely purpose of this belated offer of talks on 20 October is that it was a part of the camouflage operation for the real plan which was to use the Pathan tribesmen to annex Kashmir. Had Mahajan been fool enough to leave Srinagar and visit Lahore or Karachi on 21 October, he would have been placed under house arrest until the Kashmir operation was over. What was amazing was the CRO's inability to put two and two together.

3. In the light of the documents that are now available, the British government's implicit faith in Pakistan's assertions that it had nothing to do with the tribesmen's invasion of Kashmir appears quite ridiculous. If we take the CRO's position paper at its face value, it means that Pakistan, a nation barely six weeks old, had succeeded in completely hoodwinking the rulers of a quarter of the globe, who had virtually invented the art of *realpolitik*. All the while that the CRO was being led around by the nose, probably through the over-credulous Sir Francis Mudie, Pakistan was preparing to annex Kashmir. Nor does the CRO's tired excuse that 'local elements' were assisting the tribesmen with transport and mortars hold under examination. What is more, the CRO's assertions of absolute faith that Jinnah had nothing to do with the whole business look like another Mudie-ism in the light of the information cited above. Jinnah was not a constitutional head of State, but the real ruler of Pakistan. Unlike Mountbatten, he presided over every meeting of the cabinet. When

[32] Mahajan, op. cit., p. 145.

Mountbatten was able to convince him that the Indian Government had no designs on Kashmir, Jinnah had said, 'then it must have been the Congress party.'[33] The remark reflects Jinnah's belief that India was playing a double game. Could this be because he knew that Pakistan was playing one?

One cannot also help wondering why the CRO so readily believed the Pakistan government was trying its utmost to prevent the tribesmen from invading Kashmir. The only evidence they cited was Grafftey-Smith's assertion that this was so.[34] Smith may have got this from Mudie who was constantly at Jinnah's side in those days at Lahore. But why was there no attempt to check this out directly with the one person whom everyone was quoting, Sir George Cunningham. The answer is that Sir George was doing nothing of the sort, at least not officially. On the contrary, he was feeling betrayed by the Pakistan government, whose 'politicians' had unleashed the tribesmen in Kashmir behind his back, and was so seriously considering putting in his papers that Jinnah had to ask Iskander Mirza to rush up to Peshawar to dissuade him.

4. The statement that Pakistan had not recognized the provisional government of Kashmir, is a convenient distortion of the truth. What Grafftey-Smith had cabled to London when asked about this on 18 October, was that the Pakistan foreign ministry had 'no, repeat no confirmation of any rebel provisional government'. In short, it could not confirm that such a government existed. How was Pakistan to recognize a non-existent government?

5. In a country where even a shotgun had to be licensed, what were the 'local authorities' that were able to provide the raiders with artillery? Akbar Khan has described the lengths to which he, as director of military supplies in the army, had to go to obtain 4,000 rifles and condemned ammunition without the British officers getting to know of it. Where did mortars suddenly sprout with the local authorities?

[33] *Patel's Correspondence*, Mountbatten's memo on the meeting with Jinnah on 1 Nov.

[34] In a note on the letter from Lord Ismay, R.H.G. Rumbold records, 'Should we not convey to the Indian government the work done by George Cunningham to restrain the tribesmen'. IORL/P&S/13/1845b.

Clearly the local authorities were the Pakistan army, and the conduit was the deputy commissioner in Rawalpindi who was caught in the act by Gen. Messervy's emissary.

6. It is equally difficult to fathom the basis of the CRO's belief that Jinnah's demand that two brigades be moved into Kashmir from Abbotabad and Sialkot, was 'unpremeditated', i.e. a spur of the moment decision born of anger or frustration. Abbotabad was a strange place for a brigade to have been stationed in the first place. In October all the violence was taking place in Punjab, where an estimated five million people were leaving their homes and heading for safety to a new land. What is more, the Indian government had got to know of Pakistani troop movements aimed at Kashmir sometime before 7 October, for on that date Sardar Patel wrote to Sardar Baldev Singh, the Defence Minister, 'I think the question of military assistance [to Kashmir state] in time of emergency must claim the attention of our Defence Council as soon as possible. There is no time to lose if *reports which we hear of similar preparations for intervention* on the part of the Pakistan government are correct [emphasis added]. It appears that intervention is going to be true to Nazi Pattern (i.e. managed by the party and not the government).' Patel's information proved remarkably accurate on both counts.[35]

On the other hand, if one makes the more straightforward assumption that Jinnah knew all along about the Kashmir operation then everything falls into place. Once the raiders had secured the valley, Pakistan was to formally claim Kashmir. A Deputy Commissioner was to take over in Srinagar, and if, as was only too likely, the raiders proved reluctant to halt their looting and leave the valley, the Pakistan army was go in to save their fellow Muslims from the depredations of the Pathans.

If, on the other hand, the Maharaja appealed for help to India, then regardless of whether India in turn asked for Pakistan's cooperation or not, Pakistan would send in its troops to 'help the Indians' to restore order. After all, Kashmir was a friendly state that had signed a standstill agreement with it. Since Abbotabad was at most four hours driving time from Srinagar, Pakistan's troops would be in Srinagar and in

[35] *Patel's Correspondence*, vol. I, doc. 59, p. 57.

control of most of the valley in a matter of hours. Indian troops would have to struggle up a poor road through the Banihal pass, where they could be easily stopped. One way or another, much of Kashmir, or the entire state barring Jammu, would become a part of Pakistan. Only the airlift, which Pakistan had not thought possible, and Kashmir's accession to India, upset these plans.

8. The above scenario explains why securing the accession of Kashmir to India was essential before Indian troops went in. Jinnah gave the orders for troops to enter Kashmir on the night of the 27th. Gen. Gracey refused to comply without first clearing it with Auchinleck because, with Kashmir now a part of India, Pakistan troops would have to fight Indian troops. In such an eventuality, all British officers would have to be withdrawn immediately. It was on this basis that he was able to stand up to Mudie's bullying, and insist that he had to talk to the Supreme Commander first. But what if India had sent its troops without securing Kashmir's accession? Would Gen. Gracey have refused to send troops to Kashmir to 'help' the Indians? Looking back, it is impossible not to agree with Mountbatten that 'The accession would fully regularize the position and reduce the risk of an armed clash with Pakistan forces to a minimum'.[36] It was the strategic gameplayers at the Commonwealth Relations Office who were being irresponsible, if not worse, in suggesting that India could have gone to Kashmir's help without securing the latter's accession.

9. The brigade at Abbotabad was also the reason why India could not let Pakistan know what it intended to do in Kashmir in order 'to avoid a misunderstanding'. Had Nehru telephoned or cabled Jinnah on the 25th or even 26th that it intended to go to Kashmir's assistance, Jinnah's troops would have been in Srinagar in four hours in brigade strength. If the raiders had indeed come on their own initiative to Kashmir, and had Pakistan indeed hesitated to stop them for fear of provoking a general uprising of the tribes, such concerted action might have been possible. But India knew that Pakistan was behind the raiders from weeks before the invasion began. Even had it had no inkling, it simply could not have acted on any other supposition after Pakistan had done nothing to stop the raiders from crossing its

[36] Governor-General's report to the King, quoted by Hodson, op. cit., p. 453.

territory. The only thing that might have been surprising about this whole affair was British government's determination to believe whatever the Pakistan government told it, but given the background examined in detail above, even this is dissipated.

The last two points of the British government's position paper are notable only for the suddenness and extent to which an entire government was able to turn on a community that had till three months earlier been its most loyal subjects, and produced its most courageous soldiers. Once defeated in the Anglo–Sikh wars, the Sikhs had been unflinchingly loyal to the crown. They had refused to join in the 1857 revolt; they had ignored the Congress's call to boycott the war effort and joined the Indian army in droves. Now they were rabid Muslem-haters whom even the iron discipline of the Indian army might not be able to restrain from killing Muslims and looting their homes in Kashmir. Therefore sending Sikhs to Srinagar was a serious provocation, had compounded the Sikh slaughter of Muslims in Delhi and Punjab and incited the tribesmen go out of poor George Cunningham's control! Why target the Sikhs? Did no Hindus kill any Muslims? The sudden adoption of Pakistan's demonology by supposedly cool-headed civil servants in London would have been amusing had it had not been so palpably contrived.

8

Myths Exploded, an Enigma Unravelled

The preceding analysis of the events that led to the accession of Kashmir to India shows that neither the Indian nor the Pakistan version is wholly correct. But of the two, the Indian version tallies far more closely to the facts revealed by a perusal of the documents of that period. These documents also provide a fund of information on the motives of the people who were the principal actors in the drama. They resolve many of the enigmas that surrounded the accession and unravel the cobweb of myths that had gathered around the event. In the story that emerges there are no heroes and few villains.

There is a persistent belief that underlies even Indian accounts of the Kashmir story: that Maharaja, Hari Singh, was weak, indecisive and indolent; his troops an indisciplined rabble with no compunction in killing large numbers of defenceless Muslim civilians, including women and children, who scattered before a handful of Pathan tribesmen. Both these myths are just that—myths. Hari Singh may have had many personal failings. But on the matter of accession, he was undecided rather than indecisive. His reasons for seeking to keep Kashmir independent cannot be derided. They cannot also be compared with those that motivated the Nizam of Hyderabad to want to do the same. Hyderabad was ethnically homogeneous (with the exception of a small Marathi-speaking pocket in the north-west of the state). Kashmir was an ethnic mishmash that reflected its location at the meeting point of four cultures, broadly Indo–Aryan, Central Asian, and middle eastern Islamic and Buddhist. One could generalize about

the population of Hyderabad or Junagadh; no such generalizations were possible about the 'people of Kashmir' state. The Maharaja sought to remain independent because he wanted to preserve the precarious internal balance in his heterogeneous kingdom. Since neither dominion was prepared to tolerate this, he first tried to sit out the turmoil of transition. Finding that such a course untenable, he opted for the dominion that seemed more likely to respect his state's ethnic autonomy.

As for the Kashmir state forces. Far from being an indisciplined rabble, they were battle-hardened troops that had fought side by side with the British in Burma through the Second World War. Till 29 September their commander was a decorated British officer. One-third of the troops were Muslim and, until the communal virus was injected into them, totally secular. The Dogra officers respected and relied upon their Muslim soldiers, swore by them, and paid for their loyalty to their troops with their lives. Col. Narain Singh, the commander at Domel, was murdered by his own Muslim troops as they deserted,[1] while Brigadier Rajinder Singh, the chief of the state forces in October may have met the same fate at Uri.[2] If the state forces fell apart at the critical moment in late October, it was because of treason.

The third myth that does not stand up to scrutiny is that there was a revolt against the Maharaja of sufficient severity to raise serious doubts about his right to accede to anyone. Till 29 September, or a few days later (since Scott could not have left Srinagar the very day he surrendered his command) there was no sign of even a minor rebellion, not even in Poonch. On 18 October the Pakistan government emphatically denied having received any confirmation of the setting up of any provisional government. Such an announcement was indeed made on 6 October by Mohammed Anwar, but the Pakistan government did not give it any credence.

It is undeniable that later in October there was communal violence all along the Pakistan–Kashmir border, from Kathua to Bhimber to Mirpur, and beyond. It is also undeniable that Kashmir state forces did

[1] Mahajan, op. cit., pp. 132, 147.

[2] There is a curious reference to his death in Lamb, *Kashmir, 1947: Birth of a Tragedy*, to his having been ambushed, but 'we do not know by whom'.

cross over the border into Pakistan proper on several occasions, and on one occasion penetrated six miles deep to virtually depopulate two villages near Sialkot.[3] But the violence was initiated from the Pakistan side of the border. Akbar Khan's 4,000 rifles began to be distributed in late September or early October. The Maharaja complained to Pakistan that rifles were being licensed to people living along the Pakistan border, and tribesmen from Hazara appeared in Poonch by early October at the latest. The standard, indeed only response, to such widespread infiltration is to clear a belt of territory along the border and thereafter treat everyone found in it as potentially hostile.[4] That is what the state troops did. There can be no doubt that many of the Muslims evicted from their homes crossed the border.

Enough has already been written above about the hollowness of the CRO's determination to believe that Jinnah and the Pakistan government did not instigate the tribesmen to invade Kashmir. In the light of what we now know, this proved to be a highly successful piece of disinformation that London was suspiciously eager to believe. The assertions of the Indian government, and of Mahajan, that the Kashmir government was well aware of what was being planned by Pakistan, acquire added weight.

The documents also refute the universally held belief that the Maharaja had lost all touch with reality, and was unwilling to accede to India even as late as the morning of 26 October, and that Mahajan's arms had to be twisted by Pandit Nehru and Patel, with the timely assistance of Sheikh Abdullah, to make him do so.[5] This belief is the justification for treating the accession as provisional, and not on a par with the 500 odd others that had already been signed. They

[3] This was not merely a Pakistan concoction, but attested to by a British officer who went to the site. The alleged body count of over 17,000 corpses may be what he was told—it is unlikely that he personally did the counting, but the fact of casualties in the thousands is beyond reasonable doubt, if the British officer's report to the UK Deputy High Commission in Lahore was accurate. Telegram from UK Dy. High Commissioner in Lahore, 6 Nov. 1947.

[4] This is what the Indian government did in Punjab in 1984 and again in 1989–90. But the Sikh villagers who were moved out did not go to Pakistan. They moved deeper into India, and during the day tilled the land in the border belt.

[5] Lamb, *Kashmir: A Disputed Legacy.*

show that the Maharaja had made up his mind to accede to India, since he could not remain independent, at least as far back as the beginning of September, if not 16 August when he dismissed Ram Chandra Kak, his prime minister of long standing. They also strongly confirm Mahajan's contention that he came to Delhi from Srinagar on September with an offer of accession, but that it was rejected by Pandit Nehru. Till now there was only Mahajan's statement to this effect, and the letter the Maharaja wrote to him in Amritsar after he returned from Delhi and reported his failure.[6] But the report that appeared in the *Pakistan Times*, stating that the maharaja had decided to join India, its Srinagar correspondent's assertion that he had done so around the 10th or 11th, two days before Mahajan arrived from Amritsar to be offered the premiership, and the fact that Jinnah's private secretary, K.H. Khurshid, himself a Kashmiri, was in Srinagar at the time, together provide strong circumstantial evidence that Mahajan's account in his autobiography was strictly true.

The Maharaja's decision to accede to India also accounts for Pakistan's plan to annex Kashmir. The meeting that Akbar Khan attended in Lahore took place around 15 September. Interestingly, if the surmise made here (and it is only a surmise) that K.H. Khurshid was the source of the news for the Pakistan government is correct, then it was impossible for Jinnah not to have been aware of it, and the likelihood that he knew nothing of the 'black' operation to annex Kashmir even less credible.[7]

The reports from the British resident in Srinagar show that over and

[6] Mahajan, op. cit., pp. 125–6.

[7] In his book *Danger in Kashmir* (Princeton University Press, Princeton, 1954, pp. 59–64), Joseph Korbel has written that Pakistan began to suspect that the Maharaja had decided to accede to India when he fired Kak; asked India for essential supplies; took urgent steps to establish telegraphic communication with Delhi independently of the Pakistan Posts and Telegraphs department, and when both Kashmir and India began to improve the Pathankot–Kathua–Jammu–Srinagar road on an urgent basis. He specifically cites the *Pakistan Times* report of 27 September (date of publication, not despatch) which I have cited earlier. But Korbel's reconstruction does not explain how the *Pakistan Times*' Srinagar correspondent was able to say that the decision on accession was taken around 11 September. As *Patel's Correspondence* shows, all the above linkages were sanctioned, but very little was

above his personal reluctance to cede his kingdom to a country that had been formed explicitly on the basis of religion, the Maharaja had reasons of state for not wanting to accede to Pakistan. Fortnight after fortnight they record the arrival of Hindu and Sikh refugees from Hazara, and the fact that these hapless persons were being cared for by the state. Apart from that, the Maharaja had excellent information from the NWFP, and could see how the communal poison had been injected into the bloodstream of the province to secure the overthrow of the Khan sahib government. One of his closest friends was a Pathan gentleman whom Dr Karan Singh remembers as Bhaijan *effendi*.[8] The NWFP's experience had convinced him, possibly as early as the end of April, judging from the Maharani's visit to Lahore to recruit Mahajan in place of Kak, that just as the Muslim League would not tolerate the survival of a secular Muslim government in the NWFP, it would not tolerate a Hindu ruler backed by the secular Muslim population of the valley, in Kashmir.

But if the Maharaja had made up his mind to accede to India in September, then his accession in October cannot he regarded as having been under duress. The raiders forced the timetable but not the choice. The dispute that delayed Kashmir's accession to India till after the tribesmen's invasion, was not over the accession itself but its terms. There is thus no reason to question his right to accede to the dominion of his choice, and no reason for treating his accession to India as provisional. At the time when Mountbatten strongly argued in favour of accepting the accession, but conditionally, he did so partly because he was unaware of the Maharaja's strenuous efforts to accede

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actually done before the raiders came. Even the first of these moves, the request to release Col. K.S. Katoch, was made by Patel on 13 September. This was two days after the Maharaja, according to the *Pakistan Times*, had decided to accede to India. It is therefore unlikely that the Srinagar datelined story referred to in this book was based on the circumstantial evidence to which Korbel refers.

[8] Bhaijan *effendi* tried desperately to see the Maharaja before he left for the NWFP. The latter was either too distracted, or was prevented by his relatives on his wife's side, from doing so. Karan Singh is convinced to this day that contrary to what Mahajan suggests in his book, Bhaijan effendi was trying to warn the Maharaja of the coming storm. (Personal conversation, 17 Oct. 1994.)

to India five weeks earlier, but primarily because his overriding concern at the time was to prevent a war between India and Pakistan.[9] Nehru of course knew that the Maharaja's offer was not really being made under duress, but he could scarcely waive a condition on the latter's offer in October that he had himself insisted on when he rejected the offer in September.

The most puzzling feature of the whole Kashmir affair has been Nehru's behaviour. The questions that generations of Indians have asked themselves about Nehru are: Why did he agree to making the accession conditional? Why did he refer the dispute to the UNO? Why did he accept the ceasefire when the Indian troops had gained the ascendancy, and when Muzaffarabad district, rural Poonch, and perhaps even Gilgit could have been retaken? To these we must now add new questions: Why did he reject the Maharaja's offer of accession in September when he himself had said to the Viceroy, Patel, and Gandhi, as late as 29 July 1947, that Kashmir meant more to him than anything else? Why did he, for that matter, reject the Maharaja's offer again as late as 24 October? Why was he prepared to risk Srinagar rather than accept an offer that did not explicitly commit itself to the installation of a popular government under Sheikh Abdullah?

The obvious answer is that Nehru did not feel that the accession of a Muslim majority state to a non-Muslim country would be justifiable unless backed from the outset by the main political party in the state and its leader. At the precise time when Kashmir was invaded, Indian troops had entered Junagadh, ostensibly to enable the ruler of a small principality within the state, Mangrol, to accede to India, but in reality to assert the right of the overwhelmingly *Hindu* population of Junagadh to accede to India. What is more, throughout August and September, the Indian government had been engaged in persuading an unwilling Nizam to accept the facts of geography and ethnicity, and accede to India. He did not therefore wish to open himself and the Indian government to the charge of employing double standards.

[9] Letter from Mountbatten to Nehru, 25 Dec. 1947. In it he says, 'When I first suggested bringing UNO into this dispute, it was in order to achieve the object quoted above—*to stop the fighting*—and to stop it *as soon as possible* [emphasis in the original]. Hodson, op. cit., pp. 466–7.

But this explanation, although perfectly valid, does Nehru less than justice. Nehru knew better than his colleagues in the government, that Kashmir could not be equated with either Junagadh or Hyderabad because of its patchwork quilt of ethnic groups, and the heterogeneity of its Muslim population. Unlike Junagadh or Hyderabad, the state of Jammu & Kashmir did not have any natural homogeneity. It could only be given a political identity by a ruler commanding the total loyalty of all his subjects, or a mass movement in which all its ethnic communities were represented. No matter what their trappings of royalty might have been, Nehru knew that by 1947 the rulers of the princely states did not command the respect of the emerging middle-class either of British and, to a lesser extent, princely India. He had therefore thrown all his weight behind Sheikh Abdullah's National Conference, whose composition was multi-ethnic and by 1945 was committed to a programme that was highly progressive. Like the Maharaja, Abdullah might have preferred, for both political and personal reasons, to keep Kashmir independent. But since this was impossible, he was predisposed to merging Kashmir with India. Pandit Nehru therefore spared no effort to keep strengthening his personal and political links with Abdullah. All of his actions after the arrest of Abdullah in March 1946—his attempt to go to Kashmir to see Abdullah in June 1946, which resulted in his being placed under house arrest by the Maharaja's troops; his frantic attempts to go to Kashmir again in July 1947 and risk imprisonment there, just weeks before he was to be sworn in as Prime Minister of free India; were part of unceasing efforts to continue building links with secular parties and elements among Muslims, and in Muslim majority areas. Nehru, indeed, behaved *vis-à-vis* Abdullah, exactly as he behaved with respect to the Khan sahib government in the NWFP. In 1946 his purpose was to undermine the rationale of Partition. After March 1947 it was to preserve the future of independent India's secularism.

However, precisely because of his close association with Abdullah, Nehru also understood him better than anyone else in the Congress or the Viceroy's office. He was aware of Abdullah's overweening self-esteem, a quality that made him one of the most charismatic leaders of his day, but also notoriously difficult to handle; his mercurial

temperament, his quick temper, and readiness to take offence were traits that other Indians were to become familiar with in the coming years. Nehru must therefore have sensed that there was a grave risk of alienating Abdullah if he were to accept the Maharaja's accession over his head, especially while Abdullah was still in prison. Even after 28 September, when Kak was gone, and it was apparent that the Maharaja was sincere in his promise to reform the internal administration, Nehru must have realized that during the interregnum between the Maharaja's accession and Abdullah's induction into the government, Abdullah would have been full of uncertainty, and would harbour dark suspicions of having been betrayed by Nehru and India. He might then have turned against both. Thus Nehru's seemingly incomprehensible behaviour stemmed from the fact that he was trying to keep not just the ruler, but the people of Kashmir with India.[10] Everything that Nehru did, especially his willingness to treat the accession as provisional, was geared to this purpose. Indeed, nowhere were Nehru's qualities of statesmanship more evident.

Nehru's willingness to accept a ceasefire while a third of Kashmir was still in Pakistan's hands, was born out of the same type of far-sighted calculation. It did not reflect a lack of confidence in the capabilities of the Indian army, but an awareness, honed by his own Kashmiri origins and no doubt by the Sheikh Abdullah's constant advice, of the ethnic and religious dissimilarity of the people of Kashmir valley from the Muslims of Poonch, Mirpur, Muzaffarabad, and Gilgit. The unique culture, which Kashmiris even today call 'Kashmiriyat', belonged to the valley alone. Once the raiders had been cleared from the valley, the largely Hindu and Sikh town of Poonch safeguarded, and the road to Buddhist Ladakh cleared at Kargil, Nehru was no longer keen to pursue the war. If Pakistan did vacate the whole of Kashmir, and a plebiscite could be held soon, so much the better. With the Sheikh opting for India, there was little likelihood of the state as a whole voting to join Pakistan. But if Pakistan did not vacate 'Azad Kashmir', this would be a blessing in disguise, for the

[10] As Copland has pointed out, by this time the National Conference had lost most of its support in Jammu and Muzaffarabad, but held undisputed sway over the Kashmir valley. Op. cit.

parts that would not have become reconciled to becoming a part of India were the ones that it had cut away.

Nehru's vision was therefore sound, but he cannot altogether escape criticism. In September he had good reasons for not accepting the Maharaja's accession without the latter first bringing Abdullah into the government. But these were simply not strong enough to justify the dangerous game of brinkmanship that he played in again not accepting the Maharaja's accession from 24 to 26 October. Nor can he be easily forgiven for not consulting his cabinet before taking a decision that was so fraught with risk. By 24 October the Maharaja had released Sheikh Abdullah, and mended his fences with him. Abdullah was even then in Delhi, staying at Pandit Nehru's house. The Maharaja had sent Abdullah's letter of 28 September down to Delhi in his anxiety to prove his good faith. Could it have been that Nehru continued to be difficult in October because he was still afraid of upsetting Abdullah? If so then it was a display of weakness that does him no credit. When the raiders invaded Kashmir, it was not only the Maharaja but also Abdullah who lost his bargaining power.

If Abdullah's personality was at the core of Nehru's hesitation in October, it was also at the core of the Maharaja's hesitation over acceding to India once he had decided, for the many reasons cited above. No other actor in the drama has suffered so much at the hands of contemporary historians as Maharaja Hari Singh. Hodson's contemptuous dismissal of him pales before Korbel's:

> Through all the mists of uncertainty that shroud the negotiations concerning the future of Kashmir, one fact alone is clear. This is the irresponsible behaviour of Maharaja. It was this that brought the nation uncommitted, their wishes unascertained, past the fateful day of partition, August 15, 1947. It was his stubbornness, his coy manoeuvring, including his 'attacks of colic', that brought upon his people unparalleled suffering and pain. In this respect at least, he was a worthy 'Son of the Dogras'.[11]

Yet, the Maharaja's actions, or rather his inaction, are both justifiable, and his decisions defensible. No one, at least no one outside Kashmir, understood the ethnic heterogeneity of his State better than he did. No one knew better the differences between the Muslims of

[11] Korbel, op. cit., p. 63.

the valley and those of Jammu, Poonch, Mirpur, Muzaffarabad, and the Punjab plains. These prompted him to try and remain independent. When that failed he stalled for time, which was all that he could do. His attacks of colic may have been irresponsible when seen from the viewpoint of India and Pakistan, but were sound statecraft when seen from the point of view of Kashmir and its welfare. When this was no longer possible he tried to buy time by entering into a standstill agreement with both India and Pakistan. Pakistan agreed, but only as a prelude to accession. When its government realized, after the Maharaja politely prevented Jinnah from coming to Srinagar, that this was not the way Hari Singh was seeing it, it began to apply economic, then political, and finally military pressure. India too, by not signing the standstill agreement and inventing a 'principle'—no standstill without accession—applied gentle and far more subtle pressure. These pressures, the gathering tribesmen on his borders, the armed marauders from Pakistan, told him his time had run out. The experience of the NWFP next door had persuaded him that joining Pakistan was no passport to personal security or security for the majority of his people who lived in the valley and Jammu. As soon as he reached this conclusion, he began to negotiate accession to India. He was neither indecisive, nor dilatory. It was Nehru who did not let him accede, did not inform his colleagues about the Maharaja's offer, and thereby helped to create the impression that he was criminally irresponsible and out of touch with reality. Were it not for the Abdullah factor, one would be tempted to say that no one could have had a sweeter revenge for three days' house arrest in Uri![12]

The only issue on which the Maharaja was stubborn was his reluctance to lose power and become a figurehead in the country that his family had ruled (admittedly, under paramountcy) for over a hundred years. This is where his personal animosity to Sheikh Abdullah came in, for the Sheikh had built his popular movement not just around a demand for democracy, but more specifically around the expulsion of the Dogra dynasty. Abdullah had therefore personalized the struggle

[12] In June 1946, when Nehru insisted on entering Kashmir to meet his friend Sheikh Abdullah.

from the outset, so the Maharaja knew from the very beginning that bringing him out of cold storage and into the government was signing his own death warrant as a ruler. More even than Hari Singh, Ram Chandra Kak, his prime minister, was aware of Abdullah's towering ego. He therefore knew, and no doubt ensured that the Maharaja understood that ultimately Abdullah was more interested in power than in democracy, so that even finding a *modus vivendi* with him was going to be next to impossible. That is why Hari Singh refused to do what Nehru kept demanding of him till the bitter end. It is interesting that within two days of coming to Kashmir, Mahajan got the same impression.[13] Nehru, however, did not see this, or if he did, chose to live with it. When five year later he could no longer avoid seeing it, he re-imprisoned the Sheikh.

WHO GAINED AND WHO LOST: A TENTATIVE VERDICT

When the Kashmir war ended Pakistan was in possession of one-third of a state which had acceded to India. The accession had not been under duress, by a ruler who, by his irresponsibility and inaction, had lost the moral right to govern, but one who had for good reasons fought to gain time, and then when that was denied him, made a decision that he was prevented from executing. Thus by any ordinary yardstick, Pakistan emerged the victor from the struggle—albeit a partial one. Despite this, all the scholarly literature, all the newspaper articles, and all the political statements that have emanated from Pakistan are laden with frustration, betrayal, and defeat. Pakistan has also not stopped trying, by one means or another, to secure the rest of Kashmir, and although they talk of the entire state, they really have their eye on the valley alone. This has not only led to another war between the two countries in 1965, but to a proxy war that has been going on principally between the Muslim fundamentalist Hizb-ul-Mujahideen, its offshoots and associates, like Al Jihad, and Allah's

[13] Mahajan, op. cit., p. 172.

Tigers, on the one hand, and the Indian security forces on the other. In this war, as in all wars, ordinary civilians have become the victims of bullets, extortion, and rape at the hands of both sides.[14]

What is worse, the continuous state of unsettlement in which the Indian government found itself in Kashmir, is to a large extent responsible for its willingness to hand over the state to local satraps and look the other way while development grants are being siphoned off or distributed among friends and relatives, just so long as these satraps promised to deliver Kashmir to New Delhi.

Yet even though Pakistan did not get all it wanted, it achieved its essential purpose in Kashmir. One has only to look at Akbar Khan's description of how vulnerable Pakistan would have been had the whole of Kashmir gone to India to see how far the clandestine operation of September–October 1947 achieved its ends. At the end of the war, Pakistan had pushed back the border between it and India many miles along the entire length of the Lahore–'Pindi rail and road line; it physically separated Indian Kashmir from the NWFP and the tribal areas, and ensured Pakistan' capacity to pacify the latter. Finally, it closed off India's capacity to open a second front in the far north to render Lahore indefensible.

One is also struck by the continuity of history. Half a century ago, Sheikh Abdullah and the National Conference were totally opposed to joining Pakistan, preferring independence with a few qualifications, but when this option was closed, settled for accession to India. In all this the Sheikh's objectives were indistinguishable from those of the Maharaja. Pakistan attempted to undermine the Maharaja by injecting rank communalism through a Wahabi Islam into the state in 1947. Today the same effort is being made. In 1947, the target was the Maharaja's regime. In 1988–9 it was the weakened National Conference. Today it is the JKLF. The methods used to inject com-

[14] This is no reflection on the justice of the demands of genuinely freedom-seeking organizations like the Jammu & Kashmir Liberation Front, which also took up arms in the early phases of the current insurrection. This book is not about the present insurrection, but about the roles that India and Pakistan played in the accession of Kashmir to India 47 years ago. Mention of the proxy war of 1989– . . . is not thus intended to imply that there are no other players in the current Kashmiri struggle.

munalism have throughout been the same: attacks on the minority communities—Hindus and Sikhs—intended to trigger reprisals that become the excuse for more attacks, and so on until the communal divide can no longer be bridged. If history has been repeated so far, it can continue to be repeated a little longer. As with the wars in 1948 and 1965, the present conflict in Kashmir could trigger another war between the two countries. It is with that sobering thought that this book must end.

Appendix I

Statement by
FIELD MARSHAL SAM MANEKSHAW

Recorded in Delhi by
Prem Shankar Jha, 18 December 1994

At about 2.30 in the afternoon, General Sir Roy Bucher walked into my room and said, 'Eh, you, go and pick up your toothbrush. You are going to Srinagar with V.P. Menon. The flight will take off at about 4.00 o'clock'. I said, 'why me, sir?'

'Because we are worried about the military situation. V.P. Menon is going there to get the accession from the Maharaja and Mahajan.' I flew in with V.P. Menon in a Dakota. Wing Commander Dewan, who was then Squadron Leader Dewan, was also there. But his job did not have anything to with assessing the military situation. He was sent by the Air Force because it was the Air Force which was flying us in.[1]

Since I was in the Directorate of Military Operations, and was responsible for current operations all over India, West Frontier, the Punjab, and elsewhere, I knew what the situation in Kashmir was. I knew that the tribesmen had come in—initially only the tribesmen—supported by the Pakistanis. Fortunately for us, and for Kashmir, they were busy raiding, raping all along. In Baramula they killed Col. D.O.T. Dykes. Dykes and I were of the same seniority. We did our first year's attachment with the Royal Scots in Lahore, way back in 1934–5. Tom went to the Sikh regiment. I went to the Frontier Force regiment. We'd lost contact with each other. He'd become a Lieutenant Colonel. I'd become a full Colonel. Tom and his wife were holidaying in Baramulla when the tribesmen killed them.

The Maharaja's forces were 50 per cent Muslims and 50 per cent Dogras.

[1] A.P.J., Symon, the British Deputy High Commissioner in Delhi, sent a telegram to London on 27 October stating that he believed two army and one airforce officer(s) had gone to Srinagar on the 25th to 'assess requirements' (IORL/P&S/13/1845b), but Manekshaw is quite categorical that there was only him and Squadron Leader Dewan. (Could there have been another separate military mission—unlikely.)

The Muslim elements had revolted and joined the Pakistani Forces. This was the broad military situation. The tribesmen were believed to be about 7 to 9 kilometers from Srinagar. I was sent in to get the precise military situation. The Army knew that if we had to send soldiers, we would have to fly them in. Therefore, a few days before, we had made arrangements for aircraft and for soldiers to be ready.

But we couldn't fly them in until the state of Kashmir had acceded to India. From the political side, Sardar Patel and V.P. Menon had been dealing with Mahajan and the Maharaja, and the idea was that V.P. Menon would get the Accession, I would bring back the military appreciation and report to the government. The troops were already at the airport, ready to be flown in. Air Chief Marshall Elmhurst was the Air Chief and he had made arrangements for the aircraft from civil and military sources.

Anyway, we were flown in. We went to Srinagar. We went to the palace. I have never seen such disorganization in my life. The Maharaja was running about from one room to the other. I have never seen so much jewellery in my life—pearl necklaces, ruby things, lying in one room; packing here, there, everywhere. There was a convoy of vehicles. The Maharaja was coming out of one room, and going into another saying, 'Alright, if India doesn't help, I will go and join my troops and fight [it] out'.

I couldn't restrain myself, and said, 'That will raise their morale sir'. Eventually I also got the military situation from everybody around us, asking what the hell was happening, and discovered that the tribesmen were about seven or nine kilometers from what was then that horrible little airfield. V.P. Menon was in the meantime discussing with Mahajan and the Maharaja. Eventually the Maharaja signed the accession papers and we flew back in the Dakota late at night. There were no night facilities, and the people who were helping us to fly back, to light the airfield, were Sheikh Abdullah,[2] Kasim sahib, Sadiq sahib, Bakshi Ghulam Mohammed, D.P. Dhar with pine torches, and we flew back to Delhi. I can't remember the exact time. It must have been 3 o'clock or 4 o'clock in the morning.[3]

[On arriving at Delhi] the first thing I did was to go and report to Sir Roy Bucher. He said, 'Eh, you, go and shave and clean up. There is a cabinet meeting at 9.00 o'clock.[4] I will pick you up and take you there.

So I went home, shaved, dressed, etc. and Roy Bucher picked me up, and

[2] This is probably a lapse of memory, or just an impression. Abdullah was in Delhi at the time.

[3] Manekshaw does not explicitly mention that Mahajan also flew down in the same aircraft, which he undoubtedly did.

[4] According to Mahajan, the Defence Committee meeting took place at 10.00 a.m. and not 9.00 a.m. This is what Nehru said in his house, after his altercation with Mahajan was

we went to the cabinet meeting. The cabinet meeting was presided by Mountbatten. There was Jawaharlal Nehru, there was Sardar Patel, there was Sardar Baldev Singh. There were other ministers whom I did not know and did not want to know, because I had nothing to do with them. Sardar Baldev Singh I knew because he was the Minister for Defence, and I knew Sardar Patel, because Patel would insist that V.P. Menon take me with him to the various states. Almost every morning the Sardar would send for V.P., H.M. Patel and myself. While Maniben [Patel's wife and de facto secretary] would sit cross-legged with a Parker fountain pen taking notes, Patel would say, 'V.P. I want Baroda. Take him with you. I was the bogeyman. So I got to know the Sardar very well.

At the morning meeting he handed over the [Accession] thing. Mountbatten turned around and said, 'come on Manekji (He called me Manekji instead of Manekshaw), what is the military situation. I gave him the military situation, and told him that unless we flew in troops immediately, we would have lost Srinagar, because going by road would take days, and once the tribesmen got to the airport and Srinagar, we couldn't fly troops in. Everything was ready at the airport.

As usual Nehru talked about the United Nations, Russia, Africa, Godalmighty, everybody, until Sardar Patel lost his temper. He said, 'Jawaharlal, do you want Kashmir, or do you want to give it away'. He [Nehru] said, '*Of course I want Kashmir* [emphasis in original]. Then he [Patel] said 'Please give your orders'. And before he could say anything Sardar Patel turned to me and said, 'You have got your orders'.

I walked out, and we started flying in troops at about 11 o'clock or 12 o'clock.[5] I think it was the Sikh regiment under Ranjit Rai that was the

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over. It is possible that the meeting was originally scheduled for 9.00 a.m. but delayed by the altercation. Although Manekshaw's account suggests that everything happened before the full Defence Committee after it had convened, it is also possible, that Bucher did take Menon and Manekshaw to the Viceregal Lodge at 9.00 a.m. and that the Instrument was handed over to Mountbatten then, i.e. before the Committee actually convened. That would be the simplest explanation of why, if Hodson's account is accurate, Nehru and other members (probably excluding Patel) did not know that the Instrument had already been obtained. It also explains Alan Campbell-Johnson's note in his diary that a Letter of Accession was given to the Defence Committee by Menon later on the same day. Mountbatten would then have been a party to the insurance policy strategy of Patel, while leaving Nehru to play his high stakes game of forcing the Maharaja to induct Sheikh Abdulla into his government before he agreed to accept the accession. The point is of considerable importance, but I resisted the temptation to jog Manekshaw's memory for fear of putting words into his mouth. In the interests of posterity, I felt that whatever he said had to be completely spontaneous.

[5] Did the Indian troops take off on the 26th or the 27th? Manekshaw's statement, and

first lot to be flown in. And then we continued flying troops in. That is all I know about what happened. Then all the fighting took place. I became a Brigadier, and became Director of Military Operations and also if you will see the first signal to be signed ordering the cease-fire on 1 January [1949] had been signed by Colonel Manekshaw on behalf of C-in-C India, General Sir Roy Bucher. That must be lying in the Military Operations Directorate.

Interview by Prem Shankar Jha

PSJ You went in on the afternoon of the 25th. When you got to Srinagar, were you actually present when the Maharaja signed the Instrument of Accession?

M I was in the palace when V.P. Menon, Mahajan, and the Maharaja were discussing the subject. The Maharaja was running from one room to another. . . . I did not see the Maharaja signing it, nor did I see Mahajan. All I do know is that V.P. Menon turned around and said, 'Sam, we've got the Accession.'

PSJ He said that to you.

M Yes, yes he turned around to me, and so we flew back.

PSJ And you were actually present the next morning when V.P. Menon handed this over during that. . . .

M [Interrupting] I was at the cabinet meeting presided over by Mount-

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insistence that it was the 26th is truly startling, and probably wrong. The weight of evidence that they landed on the 27th morning is simply too heavy. So what was Manekshaw talking about? It is possible that after the Defence Committee meeting, the orders were given to enplane and fly to Srinagar the same day. But preparations were most certainly not as complete as he assumed they were. On 26 October, at 1.15 p.m. Sir Anthony Smith, deputy chief of the Army informed the UK High Commission that 'certain arms and ammunition to Jubbulpore should be held available for immediate movement by air', presumably these were either to be brought to Delhi, or sent directly to Srinagar. This suggests that preparations in this vital area at least were not complete.

A second feature that Field Marshal Manekshaw may have forgotten with the passage of time, is that if the orders were given as soon as the Defence Committee meeting finished, i.e. around noon or a little later, there would have been at most four hours of daylight (2.00 p.m. to 6.00 p.m.) for the troops to land in Srinagar. The Government had only 4 RIAF and 6 civilian dakotas, capable of carrying at most 30 people per sortie to Srinigar. In short even if they managed two sorties each, no more than 600 soldiers could have been flown in before dark. Allowing for arms and ammunition, perhaps not more than 500. They would then have been left to fend for themselves for a full 14 hours, till reinforcements could be sent in and would therefore have been extremely vulnerable to a night attack. In view of all this it may well have been that although initially it was decided to send troops in immediately, they were sent only the next morning. We know that over a hundred sorties were flown throughout the day on the 27th to ferry troops to Srinagar.

batten when it was handed over . . . we'd got the Accession. I can't understand why anyone said that the thing was signed in Jammu, because we never went to Jammu.

PSJ Was it the cabinet meeting, or was it the Defence Committee of the cabinet?

M No, it was a meeting with Mountbatten presiding, with Vallabhbhai Patel, Baldev Singh. . . .

PSJ Nehru of course.

M There were other ministers too; I can't recall. . . .

PSJ But not all of them?

M No, not all. This was in the Viceregal Lodge.

PSJ That was the Defence Committee. Otherwise there would have been a much larger group. Sir Roy Bucher was there too?

M Yes, yes, Sir Roy took me there.

PSJ Was the Maharaja, in your presence, demurring from signing; was he laying down conditions. Was V.P. Menon saying 'look you've got to bring Abdullah into the Cabinet first. . . .'

M That I honestly can't tell you. All that I can say is that the Maharaja was . . . he was not in his full senses. He was running about saying I will fight there. Unless the Indian army comes in my own forces will fight; that sort of rubbish was going on. All that V.P. Menon was telling him was that we cannot send forces in unless the accession takes place. Then he signed it. That is all I can tell you about the actual signing.

PSJ And you were present the next morning when the Instrument was handed over to Mountbatten?

M Yes.

PSJ You have said that the first lot of troops were flown in around noon.

M Around elevenish or something like that.

PSJ Was that on the 26th or the 27th?

M *Immediately* [emphasis in original] after the cabinet meeting. We went to Srinagar I think on the 25th. I can't tell you the dates. We came back on the 26th in the early morning, and the same day we started to fly troops in. And the Pakistanis only came in when we started throwing the tribesmen out. It is only then that the Pakistani regular troops came in. I think it was General Akbar Khan, who was married to Begum Shah Nawaz's daughter; can't remember her name, dammit, I used to know them so well in Lahore. I think he organized the tribesmen coming in.

PSJ What you said about the Sikhs being moved on the 26th, immediately

after the Letter of Accession was given, is not known. The story is that the first Indian troops were moved on the 27th—that they left at the crack of dawn, maybe even earlier, and that they arrived in Srinagar at 9.00 a.m. General Sen who wrote a book about it, said that they were surprised to find troops of the Patiala regiment [state forces] already there. Did you find, when you went to Srinagar that in fact at some point earlier on, perhaps even before 15 August, the Maharaja of Patiala had agreed to send a battalion of his troops to Kashmir.

M If that had happened, I would have known. No. There were no soldiers of either the Indian or the Patiala forces which had gone in earlier.

PSJ Then is it possible that the troops that Gen. Sen referred to were the ones who had gone in on the 26th?

M No, that was the First Sikh Light In . . . Sikh Battalion, that was sent with Ranjit Rai. That was sent on the 26th. The same day we'd had the cabinet committee meeting, the defence committee meeting or whatever. I remember getting out of that meeting and making arrangements. Bogey Sen went in later. Poor old Ranjit was killed. He and I were from the same batch—the first batch at the Indian Military Academy.

PSJ In his book, *The Great Divide*, H.V. Hodson, who wrote it after being given access to Mountbatten's personal papers, doesn't specifically say that the Instrument was presented to the Defence Committee at its morning meeting. But he does say that after you had given your appreciation of the military situation in the morning, discussion went on about, well, we should send in the troops but should we accept the accession or not. Which implies that the letter of accession had already been given but the cabinet [Committee] was still in two minds about whether it should be accepted, or whether the Maharaja should be told, well, we are sending in troops to support you, but we are not going to accept the accession just now. In the evening, apparently, the decision was taken that we will accept the accession but with the proviso about the reference to the wishes of the people which eventually went into the letter that Mountbatten wrote.

Now is it possible that although you made the arrangements to send the troops, the actual fly in took place on the 27th.

M [Thinks] No they were sent in the same day. And I think you would be able to verify that from airforce records because we didn't have all that many aircraft, and had to get them from the civilian airlines. They had all been got ready.

Appendix II

Letter from
GENERAL ISKANDER MIRZA, Governor-General and President of Pakistan, 1955–8
to
SIR OLAF CAROE

My dear Sir Olaf,

I got your letter an hour ago and am writing immediately.

In the first place I wish to express my grief and concern at the serious illness of Kitty. I had no knowledge else I would have written earlier. I hope she will be in perfect health very soon. Please give her my high regards and love. Nahich has gone to Paris because of her sister-in-law's illness. I expect her back soon. Taj was with me for two months but he is leaving for Karachi on the 28th.

The unhappy and dishonourable circumstances in late 1946 and early 1947 in connection with your tenure as Governor of N.W.P.F. bring back some very unhappy memories. There was no doubt in my mind that Lord Mountbatten was no friend of yours and he was guided more by Nehru than by anybody else, and Nehru family believed that all those incidents in Malakand, Razmak and Khyber during his visit as Minister of External Affairs were created by officers of the Political Service and you were Governor at that time. I tried through the late Sir Girja Shanker Bajpai that Nehru should avoid going to tribal areas as passions were inflamed because of communal riots in Bengal, Bihar and Bombay. But Nehru listened to the Khan Brothers and when incidents did take place, the poor political service was blamed and even I was suspect because I gave that advice to Sir Girja Shanker in all good faith.

Lord Mountbatten wanted to keep Nehru happy and even before you went to Kashmir stories were going round that you had a nervous breakdown and required rest. I told the late Nawabzada Liaquat Ali Khan of your great qualities and after the referendum urged that you should go back as Governor and that Muslim League was honour bound to insist on this. But believe me

there was no honour then and later. No other reason but health was given to sabotage you and I was quite helpless. Lord Mountbatten must have told Lord Isney that you won't go back.

Sir George Cunningham's return was a great surprise. I learnt later that he was not at all willing to come back as Governor and pressure was put on him by no less a person than His Majesty King George the VI. In 1945 I did tell Mr Jinnah that Sir George was a wonderful man and during the war kept the Frontier quiet. But I don't think this would make Mr Jinnah ask for him.

But what did the politicians do to Sir George. Behind his back they pushed Tribesmen into Kashmir. Sir George was about to resign in late 1947 and I had to beg of him not to do so. They got rid of a good friend like Muchie and installed that fanatic Nashtar as Governor. I don't think you should feel sorry. Knowing you as I do could not have stuck all those dishonourable intrigues so very rampant since the very inception of Pakistan. Everybody here are enamoured of Ayub but what about the terrible corruption rampant in the country and the example set by Ayub and his family?

I am attempting to write my memoirs and when they take some shape I will ask your advice. My trouble is all my papers were perished and I have to go by memory which is not good now specially for dates. I think when you have some time we can have lunch somewhere and have a long talk. You ask questions and I will answer. Perhaps you might get some satisfactory material.

With love,

Yours ever,

Sd/-

Appendix III

The Truth of the Partition of the Punjab in August 1947

With the death of Sir George Abell earlier this year (1989) I remain the only one who knows the truth about the 1947 partition of India and the consequent creation of Pakistan. For the sake of historical truth the facts should be recorded, but certainly not yet published.

My request is, and it can be no more than a request, that the contents of this document are not divulged to any person until

(a) After my death, and to selected persons.

(b) Only by agreements between the Warden of All Souls and a Permanent Under Secretary of the Foreign Office.

On 6 July 1947 Sir Cyril Radcliffe (later Lord Radcliffe) was appointed Joint Chairman of the Boundary Commission.

The next day I was appointed his Private Secretary and on 8 July Rao Sahib V.D. Iyer was appointed Assistant Secretary, a post involving purely clerical duties. The notification of these three appointments appeared in the Gazette of India dated 28 July and is attached to this document.

It was agreed between Mountbatten, Nehru, and Jinnah that Radcliffe should be told that his report, both for the Punjab and Bengal, should be ready by 15 August. Radcliffe objected since it was clearly impossible properly to complete the task in one month nine days. His objection was overruled. Mountbatten, Nehru, and Jinnah must share the blame for this irresponsible decision.

It was a serious mistake to appoint a Hindu (the same would have been true for a Moslem) to the confidential post of Assistant Secretary to the Boundary Commission. Enmity between the two communities was rising fast. There had already been much bloodshed in the Punjab and Bengal. Iyer had doubtless been a loyal servant of the Raj, but the Raj was disappearing. An Assistant Secretary to the commission should have been brought from the UK.

Once the Hindu and Moslem High Court Judges, who were supposed to help Radcliffe draw his lines, had been discarded as useless the only three persons who knew of the progress of the illness were Radcliffe, myself and Iyer. I have not the slightest doubt that Iyer kept Nehru and V.P. Menon informed of progress.

Evidence of this is to be found at the Viceregal meeting on 12 August when Nehru voiced alarm at the prospect of the Chittagong Hill Tracts going to Pakistan—which they were. This was the day before I handed in the Reports at Viceregal Lodge. The only way in which Nehru could have known of the projected allotment of the Chittagong Hill Tracts to Pakistan was that Iyer had told him. Also in his Diary for 11 August John Christie, one of the Assistant Private Secretaries to the Viceroy, wrote as follows: 'H.E. is having to be strenuously dissuaded from trying to persuade Radcliffe to alter his Punjab Line.' This was on a date when H.E. ought not to have known where the line was drawn. Unfortunately I kept no Diary, so I cannot be entirely sure as to dates.

The true facts are these:

Radcliffe had completed the Punjab line. Ferozepore was allotted to Pakistan. Sir Evan Jenkins, the Governor of the Punjab, had asked Sir George Abell to let him know the course of the partition line so that troops could be deployed to those areas which were most under threat of violence from the inevitable dislocation which partition involved. Sir George asked me where the line would be. I told him, and a map showing where the line ran was sent to Sir Evan by Sir George. Sir Evan unfortunately never destroyed this map which, on his departure in mid-August came into the hands of the new Pakistan Government. Hence the suspicion by Pakistan (justified) that the line had been altered by Radcliffe under pressure from Mountbatten, in turn under pressure from Nehru and, almost certainly from Bikaner, whose state could have been very adversely affected if the Canal headworks at Ferozepore had been wholly in the hands of Pakistan. Radcliffe and I were living alone on the Viceregal Estate. After the map with the line had been sent to Sir Evan, probably the night of 11 August, towards midnight, while Radcliffe was working, V.P. Menon—the key figure after Nehru in Indian Politics at the time, appeared at the outside door, was let in by the chaprassie, or Police guard on duty and asked me if he could see Radcliffe. I told him politely, that he could not. He said that Mountbatten had sent him. I told him, less politely, that it made no difference. He departed, with good grace. I think he anticipated the rebuff. He was a very able and perceptive person.

The next morning, at breakfast, I told Radcliffe what had happened. He made no comment.

Later that morning, Radcliffe told me that had been invited to lunch by Lord Ismay (Mountbatten's Private Secretary, imported from England for the purpose of Mountbatten's Vice-Royalty) but he had been asked by Ismay not to bring me with him—the pretext being that there would not be enough room at the table for the extra guest. Having lived for 6 months in the house occupied by Ismay, I knew this to be untrue. But my suspicions were not aroused, as they should have been. I was leaving India the next week, had many pre-occupations and welcomed the chance to get on with my own affairs. This was the first time, however, that Radcliffe and I had been separated at any sort of function. That evening, the Punjab line was changed—Ferozepore going to India. No change, as has been subsequently rumoured, was made in the northern (Gurdaspur) part of the line; nor in the Bengal line.

So Mountbatten cheated and Radcliffe allowed himself to be overborn.

Grave discredit to both. But there are, in both cases mitigating circumstances, if not excuses.

Mountbatten was overworked and overtired and was doubtless told by Nehru and Menon that to give Ferozepore to Pakistan would result in war between India and Pakistan. Bikaner, I think, but do not know, also played a part. He had been a personal friend of Mountbatten's and the canal headquarters at Ferozepore were of great importance to his state, and Mountbatten liked Nehru and (for good reason) disliked Jinnah.

As to Radcliffe, he was without doubt persuaded by Ismay and Mountbatten at the lunch from which I was so deftly excluded, that Ferozepore was so important that to give it to Pakistan (although there was a Muslim majority in the city) would lead to civil war, or at least something like it.

Radcliffe had only been in India six weeks. He had never previously been East of Gibraltar. He probably did not know that Nehru and Menon were putting pressure on Mountbatten. He yielded, I think to what he thought was overwhelming political expediency. If Sir Evan had destroyed the map, the alteration of the award would probably never have been suspected by the new Pakistan Government.

The episode reflects great discredit to Mountbatten, and Nehru and less on Radcliffe.

20 September 1989

CHRISTOPER BEAUMONT'S TESTIMONY

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